

REFLECTIONS On the CAUSES of The RISE and FALL OF THE ROMAN EMPIRE.

Translated from the FRENCH of
M. DE SECONDAT,
BARON DE MONTESQUIEU,
Author of *L'Esprit des Loix.*

In TWO VOLUMES.
VOL. I.

The SECOND EDITION.
With great ADDITIONS and IMPROVEMENTS.

London,

Printed for W. INNYS in Pater-noster Row,
C. DAVIS against Gray's-Inn Gate, Holborn,
R. MANBY on Ludgate-Hill, and H. S. Cox
in Pater-noster Row. M DCC LII.

P

A

th
in

Fr

pr
re

th
th

th
fe

au

L

le

ju

th

R

c

fi

o

th

T H E

PRINTER to the READER.

AFTER some sheets of this Edition were printed off, it was discovered that the learned author had made several additions in the second edition of this work in French. From page 217, these are inserted in their proper places; the others are subjoined, with references to the places they belong to, at the end of this *Advertisement*. It has been thought proper likewise to add, as a further improvement to this edition, some few notes and two chapters from this author's justly admired work, entitled, *L'Esprit des Loix*, in which he has, with no less extent of reading than penetration of judgment, drawn forth a political system of the world, as he has in this the system of Rome, the mistress of it. One of these chapters gives us a particular detail of the foundation of that constitution which was to support so wonderful a superstructure: The other opens to us an entertaining view of the navigation and commerce of the ancients.

iv *The PRINTER to the READER.*

ents. If the regularity of the plan of this little piece is broke into by these digressions, that inconvenience is abundantly compensated by the light they throw over the whole of it. What *Notes* are added, are distinguished by being included in hooks : one or two observations I have reserved to lay before the reader in this place.

In the author's account of the pay of the Roman army ^a, the reader will perhaps regret a little his conciseness. I will just open the subject in the common way, that we may profit the more by his manner of treating it.

The Baron refers to a passage in the *Mostellaria* of Plautus, to prove that in the first Punic war a soldier's pay was *six* ounces of brass : This he calls in the note *three asces of ten ounces* ; three such asces, I suppose, ten of which were equal to a denarius, and were of two ounces each. *Where are those rascals, saies Plautus, who will submit to be shot at for three PIECES a day* ^b? Here, if with Lipsius ^c and the Baron we suppose by *nummi* to be meant *asses*

^a P. 224, 225.

^b *Ferritribaces viri.*

Illi, qui TRIUM NUMMORUM causa subeunt sub falas.
Act. ii. 1. 9.

^c *Elect.* i. 2.

The PRINTER to the READER. v

of two ounces each, it is inconsistent with the age of the poet, who wrote under the second Punic war, when the *asses* were reduced to one ounce. If with Puteanus^d, that asses of one ounce are meant, it is inconsistent with Polybius, who tells us (as we shall see presently) that the pay was at this time five asses of one ounce. And it is not likely he should speak of *asses* which prevailed in his own age, and of a pay which was in use before. Against both it is observed, Plautus always uses *nummus* for the *stater* or two drachms, never for the *as*^e. So that nothing, it is thought, can be concluded from this passage, in relation to the subject before us. Let us try some other evidence.

The Roman foot first received pay at the siege of the Veii^f U. C. Var. 347. and (as Livy has been understood) the horse three years afterwards^g. But he tells us, Servius Tullius^h had assigned for the horse a yearly

^d De stipend. mil. c. 3.

^e See particularly Plaut. De Pseudol. iii. 2. 19. and Salm. De modo usur. c. ii. Rab. Schelius, De stipendio milit. c. iii. Gronov. De pecun. vet. p. 123.

^f Liv. iv. 59. v. 4. ^g Liv. v. 7.

^h Ad equos emendos dena millia æris ex publico data, et quibus equos alerent, viduæ attributæ, quæ bina millia æris in annos singulos penderent. Liv. i. 43.

vi *The PRINTER to the READER.*

pay before. How shall we reconcile this? The easiest answer is, That at the siege of Veii, the soldiers provided their own horses^b, as the Epitome of Livy expresses it, and as it probably should be read in the history itself. Before, a horse was supplied by the government at 10,000 *asses* for ten years, (that being the time prescribed for serving in the army before they could enjoy any officeⁱ at home) and the soldiers pay was 2000 *asses* yearly; but afterwards 3000 *asses* were paid to the soldier, and he procured a horse at his own expence. The full pay of the cavalry is called *triplex stipendium*^k, it being three times as much as was paid to the foot. Gronovius^l therefore concludes the pay of the latter was originally a m *asses*, when they were at xii ounces each (which is two *asses* and $\frac{3}{4}$ of an *as* per day, reckoning, according to the custom of the ancients, 360 days to the year;) and that this continued the pay till the second Punic war.

And yet it is not without probability that Schelius collects the yearly pay was origi-

^b Tum primum equis [suis] merere equites cœperunt.
Liv. v. 7. the very words used in the Epitome.

ⁱ Polyb. vi. 17.

^k Liv. v. Polyb. l. vi. 37. ^l De pec. vet. l. iii. 2.
nally,

nally, or at least under the First Punic war, ~~mc asses~~ in the year, somewhat more than three *asses* per day; silver being about that time coined, and the *as*, which was before of xii ounces, sunk to two. As a proof of this pay, it is observed, that Porcius Cato, at the end of the second Punic war, when the necessity of the times had made great deductions in the soldiers pay, advised the senate to restore it to its ancient standard, and to give the horse 2200^k *era* or *asses*. He takes no notice of the other third part of the pay, which perhaps had been continued without any interruption. Gronovius, with somewhat of diffidence, thinks *era equestria* cannot signify 2000 *asses* to be paid to the *borse*, but 2000 *borse*, i. e. loca, or stipendia *aerum*, as *miles xx aerum*, a soldier who has received twenty years pay. In which sense Cato's motion was, that they should put 2200 horse on the establishment. But since *as* is sometimes used for the *as* (viz. *mille aeris legasse*, Varro, L. L. viii. *Modius datur ære quaterno*, Mart. xii. 62.) circumstances particularly lead us to think it used so here. The number of ca-

^k Nunc ego arbitror restitui oportere ne quo minus duobus millibus ducentis sit *aerum equestrium*. Catonis orat. ap. Priscianum, l. ii. Read *quo ne minus*, as Liv. xxxiv. 6.

viii *The PRINTER to the READER.*

valry varied according to the number of legions raised, 300 to a legion : Since those depended on these, it was needless for Cato to propose multiplying them. There was no settled standard, except of pay, to which he could want them to be *restored*. The very necessity which induced the State to diminish the pay, obliged it to keep up the number of its forces ; and we find the war carried on during the three last years of it, with xx, xvi, and xiv legions¹. When times were mended, the proposal was natural for restoring the pay to its former rate, not for augmenting the troops. We may allow Gronovius's reply to Salmasius, that there were more *equites*, or knights, under king Servius, than under the 2d Punic war ; but not in the terms in which he has expressed it. He saies many were *knights* by *estate*, who had not pay, nor a *public borse* assigned them ; and to the same purpose, the last learned writer on the Roman Senate, that many received *pay*, who were not knights. “ The title of “ *equites* was not given indiscriminately to “ all those who served in the *Roman cavalry*, “ but to those only, who, by their estates, “ were placed in the equestrian class^m. ” *Cavalry*, and not *equites* ! what name then shall

¹ Liv. xxx. 2. 27. 40.

^m Dr. Chapman, p. 16.

The PRINTER to the READER. ix

we find for them ? He means, tho' they were cavalry or equites, they were not all of the equestrian order. But we will presume, against Dr. Chapman, Gronovius, Sigonius, and other great names, in the first place, that tho' many might have the qualification for knights, the *census equestris*, yet none were so, till they were placed on the establishment by the censors, and had a horse assigned them at the public expence. 2dly, That the *Roman* or *Legionary* horse, till the time of the Social war, consisted of none but such knights ; a standing militia, who seem to have been admitted by the censors to a third part of pay, an allowance for a public horse ; 'till they were drawn out as occasion required, and put on whole pay, *aera equestria*, by the consuls. This we have formerly observed on another occasion : But for farther proof of it must now refer to Schelius in his Comment on Hyginus in Grævius's Thesaurus, vol. ix. and to Grævius's Preface in vol. i. To proceed :

Under the 2d Punic war, the pay was, as Polybius tells us^a, two *oboli* a day. The *obolus* was the sixth part of a *drachm* or *denerius*, now raised to *xvi asses* ; consequently

^a Lib. vi. 37.

x The PRINTER to the READER.

two *oboli* were nearly equal to five *asses*, which from two ounces were reduced to one. So that, instead of *tbree asses*, or *six oz.* of brass in the first Punic war, the pay was *five asses*, or *five oz.* in the second, as the Baron describes it; in weight of brass diminished a sixth, in number of *asses* raised above a third; instead of a H. S. and half an *as*, it was now a H. S. and an *as*; instead of $110 \frac{1}{2}$ *den.* in the year, now $112 \frac{1}{2}$ *den.* Pliny¹ saies the *denarius*, when raised to *xvi asses*, in the soldiers pay was still valued at *x* only, i. e. in regard to their *former* pay of *1100 asses*, upon every *ten* they received *six* additional *asses*; in the year *660 asses*, and an advance of $2 \frac{1}{2}$ *den.* or *40 asses* more; making in all *1800 asses*, agreeably to Polybius above. If we should say, that the pay was originally *1125 asses*, and that *675* were added to the new pay, to make up the value of the old, *viz.* $112 \frac{1}{2}$ *den.* it would be more exactly conformable to Pliny. So that without any variation in silver, instead of an old *den.* of *x asses*, the soldier received a new *den.* of *xvi*. And what hinders this from being the case? The passage in Livy concerning the pay of king Servius's horse admits of various interpretations, and might be no precedent for

¹ Nat. Hist. xxxiii. 13. ed. Hard.

the foot 150 years afterwards.—Cato, as is usual in round numbers, might designedly omit mentioning the odd parts above the hundred : in this very speech it follows, *De duobus millibus aetum est*; when his words before were, *quo ne minus duobus millibus DUCENTIS.* 'Tis certain Livy ^m alludes to the pay of $112 \frac{1}{2}$ den. even before silver was coined. He saies, the Campanian knights, who refused to join their countrymen in their revolt against the Romans, U. C. Var. 414. had each a yearly pension assigned them of 450 denarii ; which is exactly four times $112 \frac{1}{2}$; the pay of the foot, as we have seen, under the 2d Punic war ; and we now add, perhaps under the first. Scaliger throws out *denarios*, and understands *asses*. Mr. Hook, following him ⁿ, saies the pension was *near thirty Shillings* ; — a poor reward for so signal fidelity. No, the Romans assigned them for life a quarter more than usual pay, and made the revolters raise it. See the procedure against the Latin colonies, Liv. xxix. 15. If we leave out *denarios*, it will be hard, I believe, to find *nummos* used for *asses*.

^m Liv. viii. 11. Denarios nummos quadringenos quin-quagenos, i e. of English money, 15 l. sterling. reckoning the denarius at 8 d.

ⁿ Rom. Hist. vol. i. p. 393.

xii *The PRINTER to the READER.*

This continued to be the pay in silver thro' the remainder almost of the republic ; tho' the *as*, U. C. Var. 576. being sunk to half an ounce, the pay (in number of *asses* still the same) in weight was only $2 \frac{1}{2}$ oz. Julius Cæsar ^m doubled it. Accordingly the soldiers in a mutiny under Tiberius complain that they hazarded their lives for *tenⁿ asses* a day, or v oz. which is 3600 *asses*, or 225 *denarii* in the year. Harduin, strangely mistaking the passage in Pliny, makes the pay advanced to a *denarius* a day under the 2d Punic war : which leaves no room for Jul. Cæsar's *doubling* it, and so contradicts the testimony of Suetonius as well as of Polybius. Say Jul. Cæsar raised it to a *denarius*. Then, instead of *doubling* it, he made it above *triple* to what it was. Unless we suppose, that, when the *as* was reduced to half an ounce, the pay was eight *asses*, or iv ounces per day ; in the year, 2880 *asses*, or 180 *denarii* ; and that Jul. Cæsar made it 360 *denarii*.

But this ill agrees with what Suetonius ^o and Zonaras ^p relate, who, compared toge-

^m Legionibus stipendum in perpetuum duplicavit.
Suet. *Cæs.* xxvi. ⁿ Tacit. *Annal.* i. 17.

^o Addidit et quartum stipendum militi, aureos ter-
nos. Suet. in *Domit.* vii.

^p Πάντες γαρ καὶ ἐβδομήκοντα δέαχμάς εκάτη λαμβάνοντος
εἰσαγόντων εἰκέλευσι δίδονται. Zonar. l. xi. c. 19 p. 580. ed.
Par.

ther,

ther, prove three payments in the year of LXXV *denarii* every four months, CCXXV in the whole; and that a fourth payment was added by Domitian of LXXV *den.* in all CCC *den.* or 4800 *asses*, paid at four equal payments, every three months, which is, as the Baron observes, $13\frac{1}{2}$ *asses* per day, i. e. twelve *aurei* per annum, as before there were only nine.— Here then we may reason backwards, since 225 *den.* was the pay before Domitian, it must have been only $112\frac{1}{2}$ before Jul. Cæsar doubled it. It is further observable, that tho' we consider the pay of the ancients, as we do that of the moderns, at so much per day, yet it was paid by even portions, every three months, four months, or twelve months.—The several regulations then will stand thus,

	oz.	asses per day	per ann.	den.
From Servius Tullius	12	$2\frac{3}{4}$	1000	100
First Punic war	6	$3\frac{1}{8}$	1100	110
Second Punic war	5	3	1800	$112\frac{1}{2}$
U. C. 576	$2\frac{1}{2}$	5		
Jul. Cæsar	5	10	3600	225
Domitian	$6\frac{1}{2}$	$13\frac{1}{2}$	4800	300

I have added the estimates of the *as* and *denarius*, because I don't see how a judgment can be formed of the value of the soldiers pay under the different periods in brass only, without taking into consideration the proportion it bore to silver. And I have pursued

sued this subject the rather, because Mr. Kennet, who is often commended to save the trouble of examination, treats it with great inaccuracy : telling us, That after Jul. Cæsar doubled the pay, Augustus raised it to *ten asses* a day ; and Domitian to *xxv* : He would say, Augustus to *xxv den.* per month, and Domitian to *xL asses* per day, designing to follow Lipsius, who puts the *den.* at *x asses* under Polybius, and at *xii* under Augustus ; but to all the errors in him, he adds confusion of his own.

Having entered thus far on the Roman money, shall I presume to submit one or two passages on this head in the Baron's larger work, to his second consideration ? If they are small mistakes, I am sure no writer has more excellencies to counterbalance them.

He thinks ^q, against the opinion of several authors, that the law obtained by L. Valerius Flaccus under Sylla, and mentioned by Paterculus ^r, related to the lessening of interest, not to the dissolving part of the principal. The Romans called twelve per cent. *asses usuræ* ; therefore *quadrans*, he

^q L'Esprit des Loix, l. xxii. c. 22.

^r In hujus locum suffectus Valerius Flaccus, turpisimæ legis auctor, qua creditoribus quadrantem solvi jussiferat : cuius facti merita eum poena inter biennium consecuta est. Paterc. l. ii. c. 23.

thinks,

The PRINTER to the READER. xii

thinks, signified a fourth part of that interest, or three per cent. He saies, “ quadrans ” cannot signify a *fourth part* of the *principal* according to the language of the Latin writers ; in that sense they said, *tertia & quarta pars*, not *quadrans*. ” Under favour, I would ask (1) what shall we think of this passage, *Fecit palam te ex libella, me ex teruncio^s*. Whatever sum was here bequeathed (for which the reader may consult Gronovius) it is plain a principal sum is specified, not an interest. So in Martial l. xi.

51.

*Mittebas libram: QUADRANTEM, Garrice, mittis:
Saltem SEMISSEM, Garrice, mitte mibi.*

Again l. viii. 9.

*Solvere DODRANTEM nuper tibi, Quinte, volebat
Lippus Hylas: nunc vult solvere dimidium.*

The commentators may interpret the last two passages of interest, but he that considers them impartially will make a different judgment. For (2) so far is *quadrans*, &c. from being the language of the Latin writers for *interest*, that it is rarely or never so used in the singular number, if we may believe two great masters^t in this and every

^s Cic. ad Attic. vii. 2.

^t Salm. De modo usur. c. vii. Gronov. De pec. vet. l. iii. c. 13. p. 225.

other

xiv *The PRINTER to the READER.*

other branch of literature ; and one of them assigns a very good reason for it. The Romans computed their interest by the month, whence Horace^v, *tristes misero venere calenda*. It was often paid however only half yearly, so that one payment contained the interests of several months. Thus *asses usuræ* was one per cent. per month. Consequently, *quadrantes usuræ* (not *quadrans*) was the fourth part of that interest, or three per cent. per annum. (3.) The conditions of this Valerian law are described in Sallust^x thus :

Ac novissime memoria nostra propter magnitudinem æris alieni, volentibus omnibus bonis, ARGENTUM ÆRE solutum est. It is plain that *solvore quadrantem* in Paterculus, is the same with *solvore argentum ære* in Sallust. Now if *asses*, a bras coin, were paid for *sesterces*, a silver coin, at that time worth four *asses*, a fourth part of the principal was paid for the whole. But suppose *quadrans* to signify three per cent. or a fourth part of *asses usuræ*, it will be impossible to reconcile it with *ARGENTUM ære solutum*. The Romans denominated all their rates of interest by *asses*, and the subdivisions of the *as*; is it

^v Serm. i. § 17.

^x Bell. Cat. § 34.

possible they should describe the lowering such brass interest (if I may use the term) by saying they paid brass for SILVER? A late learned Editor ^y indeed of Cicero's *Familiar Epistles*, maintains, that Sestertius is not, as is commonly understood, the name of any particular coin. He is not the only person who has been of this opinion: Sperlingius ^z went before him in it. It is however undoubtedly a false one; the passages we have been examining are alone a clear confutation of it: the representations of this piece of money in books with the mark 11s, and the cabinets of the curious, will farther give him ocular conviction; in particular, I believe, that repository of learned curiosities which is open to all the lovers of them, and which supplied him with the MS. of these Epistles. But what I would most recommend to the Reader's admiration on this occasion is, the happiness of our numerous translators of Sallust in the passage before us. The best of them discretely slides over the difficulty:—*in consideration*, saies he, *of the universal pressure of debts, public authority intervened; and with the unanimous voice of every good*

^y Vol. i. p. 452.

^z *De nummis non cufis*, p. 229, 230.

citizen,

xvi The PRINTER to the READER.

citizen, the creditors were obliged to take a composition. He leaves out, what his original tells us,—of five shillings in the pound. The author of a free translation saies, brass was made to pass in payment for silver, WEIGHT FOR WEIGHT. He had better have gone no farther than word for word. The as was at this time half an ounce, the denarius the eighth of an ounce, and worth xvi asses: so that brass was to silver as 1 to 64. consequently the composition of the debtors would, at this rate, amount to not above $3\frac{3}{4}$ d. in the pound: And if the money pound was, as is usually reckoned in round sums, 100 denarii, it would not come to so much. A composition, which the legislature would hardly have been at the trouble of saving; but would with a better grace have cancelled the debt.

In the former law we have brass offered us for silver, a similar fraud has deceived the Baron, with many others, in the interpretation of the Voconian Law. Few monuments, he observes, have reached us of it^a, and as it has hitherto been spoken of in a most confused manner, he will endeavour

^a L'Esprit des Loix, l. xxvii. c. 1.

to clear it up. "The Voconian law, he
" says, was made to hinder the women from
" growing too wealthy; for this end it was
" necessary to deprive them of large inheri-
" tances, and not of such as could not give
" rise to luxury. Thus we find in Cicero,
" (Orat. against Verres, l. i. 41.) that wo-
" men were rendered incapable of succeed-
" ing to those only who were *rated high in*
" *the censor's books*. *Qui census esset*, which
" Dio explains of him who had *a hundred*
" *thousand*, i. e. of him who had the *first*
" *census*, as we may see in Livy l. i. and
" Dion. Halicarn." Now with submission
here seems something of that uncertainty,
and confusion which most other writers
have fallen into, who have treated of this
law. 1. Cicero is supposed to say that wo-
men are prohibited from succeeding to
those only who were *rated high in the cen-*
sor's books, without specifying what that
high rate was, which laid them under this
incapacity. 2. Dio is said to explain this
high rate at *a hundred thousand*, and yet to
leave his reader in the dark whether it was
so many pounds or pence. And 3. it is
interpreted by the *Baron* (not by *Dio*) to be
one who had the *first census* according to
Ser-

xviii The PRINTER to the READER.

Servius Tullius's institution. Now that was c thousand *asses aeris gravis*. But Dio's words in the age he wrote were clear and determinate for a different sum and a different sense ; who says the law forbade women $\dot{\nu}\pi\tau\epsilon\varrho \delta\acute{u}\o \dot{\nu}\mu\acute{u}i\sigma u\mu\nu\acute{u}\alpha\acute{d}\alpha s \kappa\lambda\eta\acute{u}\sigma o\mu\acute{u}\sigma\acute{u}\nu^c$, to inherit above two myriads and a half of DRACHMS, for that was the coin the Greek ^d writers always understood, as the Latin writers did sesterces. The Romans therefore would call this sum c thousand *nummi* or sesterces, which at 2d. each amount to 833*l.* 6*s.* 8*s.* of English money. How the learned Baron could extract from Dio c thousand any things without understanding sesterces, as he ought, is not very conceivable. It must be observed then, 4. that the law in Dio does not limit the sum which the testator was to be worth, but that only which the heiress was to inherit ; which was absolutely (without regard to the testator's high or low rate in the censor's books) c thousand H. S.

^c Dio l. lvi. p. 578.

^d If the reader doubts of this, besides the passages cited by Perizonius on this subject, Diff. ii. p. 144. 169. 171. he may consult the learned comment on the Marmor Sandvicense, p. 29, 30. But Plutarch in Antonius is express : $\mu\nu\acute{u}\alpha\acute{d}\alpha s \dot{\nu}\kappa\acute{u}\iota\acute{u}\sigma \pi\acute{u}\kappa\acute{u}\iota\acute{u}\sigma \kappa\acute{u}\iota\acute{u}\sigma \delta\dot{\nu}\theta\acute{u}\sigma\acute{u}\iota\acute{u}\sigma$ τέτο Ρωμαῖοι δάκις καλεσι, twenty-five myriads [of drachms] the Romans called decies, or a million H. S.

But

The PRINTER to the READER. xix

But it was Asconius, who, on the passage cited from Cicero ^c, imposed on the Baron. Cicero, entering upon some arbitrary proceedings of Verres in his prætorship, says ^d, “ P. Annius Asellus dying when C. Annius Sacerdos was prætor, *and not being registered in the censor's books*, made, as nature directed, and the law allowed, his only daughter his heiress.” Of the words *neque census effet* Asconius offers two interpretations ; one that which I have now given ; the other (*inconsistent as well as false*) that which the baron, after many other learned men, has unwarily adopted ^e. This interpretation of Asconius is *inconsistent* with itself, because it supposes those to be meant in the Voconian law who were worth c thousand sesterces, and yet to be the same who under Servius Tullius had the first census, and were rated at c thousand *asses*, a sum, which, when the Voconian

^c Cic. in Verrem, l. i. act. ii. c. 41.

^d P. Annius Asellus mortuus est, C. Annio Sacerdote prætore. Is cum haberet unicam filiam, *neque census effet*, quod eum natura hortabatur, lex nulla prohibebat, fecit ut filiam bonis suis heredem institueret.

^e *Neque census effet*] Neque centum millia sestertium possideret ; nam more veterum *censi* dicebantur, qui centum millia professione detulissent : hujusmodi adeo facultates *census* vocabantur. Ascon.

law

xx The PRINTER to the READER.

law passed U. C. Var. 585. would amount only to *xl thousand sesterces*. It is *false* on many accounts: 1. It is contrary to Dio's clear and determinate sense of the law. 2. It supposes *c thousand H. S.* to be sufficient to raise a man to the first class, at a time when it would scarce be sufficient to place him in the lowest. The very year in which this law was passed, it was ordered, that those citizens, who were not possessed of land in the country worth *xxx thousand sesterces*, besides money and estates in town, should be passed over unregarded in the census ^b. The next year L. Paullus, the father of Scipio Æmilianus, is said to have died not rich, tho' he left ⁱ above *LX talents*, or, as Plutarch, *xxxvii myriads* [of drachms.] Much less could *c thousand sesterces* be deemed a fortune in Cicero's time. Augustus, it is observed, hearing that some who were banished, lived too high, debarred them from possessing more than *cxxv thousand sesterces* ^k, indulging them even under a restraint of indigence a greater sum than

^b Liv. xlv. 15. ⁱ Polyb. p. 1427. 1454. 8^{vo}. Plut. in vit.

^k μητὸς σοίαν [ιπὲρ δωδεκα καὶ ἡμίσεων] μυριάδα ἔχει, ne plus quingentis millibus nummum possideret. Dio, anno 764. Sylburgius's edition has by an unlucky mistake left out the words included in crotches.

Asconius

The PRINTER to the READER. xxi

Afconius makes a mark of opulence. But what effectually overthrows this interpretation, P. Annius Asellus, who is here said *non census*, was, as appears from this very oration, a senator. Now the lowest qualification in Cicero's time was (if we may conclude from what it was under Augustus^k) **deccc** thousand H. S. Servius's distribution of the people into classes, upon which Afconius's interpretation is founded, had long since received great alterations^l. Another distinction prevailed of three *orders*, Senators, Knights, and People, arising likewise from different estimates of wealth. Whence Livy^m under the second Punic war joins *census* and *ordines* as terms in some respect equivalent.

After all, the reader will ask, why did Cicero insert so useless a circumstance concerning Annius Asellus, that he was not enrolled, *neque census esset*? When the Vocanian law passed, each citizen was obliged to be enrolled as often as a lustrum was held by the censors, that so he might be entitled to pay his just proportion of taxes. By laying

^k Suet. in Aug. c. 41.

^l See Livy i. 43. and this author, p. 112.

^m Edixerunt consules, ut privati ex C E N S U O R D I N I B U S Q U E remiges darent.—Hunc consensum senatus equester ordo est secutus, equestris ordinis plebs. Liv. xxvi. 35, 36.

then a restraint upon all who were enrolled at the last lustrum and should be so for the future^a, it laid a restraint on every citizen. But it was soon evaded two ways, either by a man's making over his estate to be held in trust for an heiress, as in Cic. *De finib.* ii. 17. or by neglecting to be enrolled, as it is here alledged of *Asellus*. The inconveniences which attended this expedient at the making of the law, the degeneracy of the times soon removed. After the Macedonian war was ended, when taxes ceased, and the censor's office was remissly executed^b; when Marius enlisted into the legions, citizens of the lowest class, estimated only *per capita*; when the very office of censor was intermitted for sixteen years, as it was in the time of Cicero^c; when enrollment became no longer a proof of a man's being even a citizen^d, the law of course grew quite obsolete^e; and the *Perpetual Edit* of the Praetor

^a Sanxit in posterum, qui post A. Posthumium, Q. Fulvium censores census esset, ne heredem virginem, neve mulierem faceret. Cic. in Verr. l. i. 42.

^b See *L'Esprit des Loix*, l. xxiii. c. 21.

^c See Ascon. in Cæcil. Divinat. c. 3. This intermission may be traced in the Fasti Capitolini, U.C. 667—683.

^d Cic. pro Archia poet. c. 5.

^e Obliteratam et opertam civitatis opulentia. Noct. Att. xx. 1.

(which

(which was made so U. C. Var. 686.) totally abolished it, allowing to women the right of succession without reserve^p. Augustus, with a different spirit from that which occasioned the Law, revived in some measure the restraint in it. The late civil wars having exhausted the state of its subjects, that emperor passed the Julian Papian Law, by which those women only were entitled to legacies, who by being mothers had contributed to repair their country's loss. So that this was not (as the Baron after Dio thinks) *a dispensation of the prohibition of the Voconian law*^q then subsisting, but a branch of that obsolete law revived and new modified.

I have advanced little more than what Perizonius has observed in his *Dissertation* on this law^r, which Grævius has abridged in the orat. against Verres before cited. Since their day many learned men have treated of this subject, and yet have neglected to enjoy the light afforded them. Is it not strange to see Mr. Hearne at the end of his *Livy* sweat through three or four pages un-

^p So Tribonianus tells us § 3. Instit. de leg. agn. Succ.

^q L'Esprit des Loix, l. xxxvii. c. 1.

^r Daventriæ 1679.

der difficulties, which had been cleared up to his hands in the Dissertation which he had elsewhere made use of in his Notes on that historian ? The prime mistake has got possession of our dictionaries, and, with many others, will probably long continue there. We are told from Asconius that *censi* signifies men possessed of c thousand *sesterces*, which, as we have seen, he saies indeed, and unsaies, and is not true whether we understand H. S. or *asses*; but only signifies *estimated* in the censor's book, without regard to any certain *rate*.

I would here dismiss this subject; but it must not be dissembled that I see one particular will be objected to by Dr. Chapman, before cited, who maintains "that no estate was prescribed as a necessary qualification for a member of the senate before the time of Augustus."—He allows however, that, as the questorship was in the latter ages of the commonwealth a kind of necessary step to the dignity of senator; and as few persons could obtain even that, without the assistance of that power and influence, which is the natural consequence

^a Gruchius imagines it introduced by Julius Cæsar, *De comitiis*, i. c. 4.

“ of a great fortune, it is certainly true in
“ fact that the house was filled with men
“ of the largest property ^{q.}.” A concession
sufficient for our present argument against
Ascanius: But still, as this is a matter of
new enquiry, I would beg leave to submit
to that learned author one or two considera-
tions. 1. He supposes the original qua-
lification of the equites, *viz.* c thousand *asses*,
to have continued till the time of Roscius
Otho. Servius Tullius, dividing the people
into six classes, placed the equites at the head
of the highest, which was rated at one hun-
dred thousand *asses*. Therefore, it is con-
cluded, they were all along possessed of an
estate of that value^{q.} But what sort of qua-
lification shall we think so small a sum was,
at a time when (as we have seen before)
xxx thousand *sesterces*, or cxx thousand *asses*,
would entitle a citizen to be only of the
lowest class; at the time this Voconian
law was made, when many a common citi-
zen was under the temptation of leaving a
daughter or niece four times as much, besides

^{q.} Dr. Chapman on the Roman senate, p. 17. It is
certain U. C. Var. 35¹, some qualification was pre-
scribed to the equites. *Quibus census equestris erat.*
Liv. i. 7. One would be tempted to think the knights
had even now a higher census than the first class; it is
not said *prima classis census*, but *census equestris*.

xxvi The PRINTER to the READER.

a provision for his sons? If the old qualification prescribed by Servius Tullius was what the censors were to attend to, it would of course have been obliterated before Roscius, just as the Voconian law was, by the growing opulence of the city. There was then, *in effect*, either no qualification required during great part of the republic, or a higher. U. C. 539, in the fifth year of the 2d Punic war, the consuls by an edict required all those, who at the foregoing census possessed, or had since acquired from 50,000 *asses* to 100,000, to provide one sailor for six months; all from 100,000 to 300,000, to provide three for a year; from 300,000 to a million, five; all above, seven; and the senators eight. We see from these five *classes* (the sixth being only *capite censi*, and contributing nothing to the charges of the state) that Servius's *classes* were quite changed; and that, placing the equites next to the senators, instead of c thousand *asses*, they were worth a million, which, when the census was taken, was 400,000 H. S. the very rate appointed for them afterwards by Roscius Otho. How then did that knight merit so well of his order, when he fixt the census of it at 400,000 H. S. It must be observed, U. C. 537, before this contribution, exigencies

The PRINTER to the READER. xxvii

cies were such, that the *asses* were sunk *xvi* to a denarius, and the census probably, still rated as originally by *asses*, sunk above a third; till Otho raised it to its former standard in H. S. This I take to be the key to the passage before us, which the two polite writers on the Roman Senate, have turned contrary ways, and have hampered, not unlocked the difficulty. Dr. Middleton saies, from hence “it is CERTAIN the Senators “generally, in these early times, possessed a “much larger proportion of wealth than “even DCCC thousand SESTERCES.” It is certain he has mistaken *asses* for H. S. and raised every sum above twice as high as he ought^r. Dr. Chapman fetches out the estates of the senators to amount at a MEDIUM to 1,040,000 *asses*, or 416,000 H. S. “Now “the first senatorian census (says he) under “Augustus was, on the authority of Dio, “but 400,000 H. S. whence the reader “may judge of the improbability of its being “greater by 16,000 H. S. at a time when “the Roman riches were so comparatively “inconsiderable, as under the second Punic

^r — qui supra trecenta millia usque ad decies *AERIS*, quinque nautas; qui supra decies, septem; senatores, octo. Liv. xxiv. 11. that those who were rated from 2400*l.* to 8000*l.* should furnish five sailors, &c. Middleton, Rom. Senate, p. 102. He should have said from 1000*l.* to 3333*l.* 16*s.* 8*d.* &c.

xxviii The PRINTER to the READER.

"war". If he means, at the time when the contribution was made, his number of *asses* amounts only to 260,000 H. S. He should have said, just before the commencement of the second Punic war. For it appears that the estimates here mentioned were taken U. C. Var. 534. when that war was scarce begun, and after the republic had been superior to its most formidable rival in a former. Now under Augustus, Dio saies, p. 540, the *senatorial census* was *fixt*, i. e. sunk to 400,000 H. S. in consideration of the calamities of the civil wars, which as they pull a nation back for many years, might well induce that emperor to lower the Senatorian census to what the Equestrian was before. But low as these Senators estates can possibly be brought, it is a far more reasonable sum than that to which the stories told by Valerius Maximus will depress them; who represents the Senate in great munificence advancing out of the treasury xi thousand *asses*^s (or 22 l. 18 s. 4d.) to the proconsul Cn. Scipio's daughter for her fortune. Believe it who can. When I see Asconius and Dr. Middleton confounding H. S.

^s Val. Max. iv. 4. Dr. Chapman saies 35 l. 10 s. 5d. He is too indulgent in pursuance of his preceding mistake: the *denarius* was worth xvi *asses* then current; not only x, as he computes.

The PRINTER to the READER. xxix

with *asses*, I can easily imagine some such error has misled this writer of *Memorables*: we learn from unquestionable authority, that ladies in those days had much higher fortunes; that within a few years afterward, P. Scipio Africanus the elder, first cousin of the forementioned lady, promised to give, first and last with each of his two daughters, xxv talents¹, which is two millions four hundred thousand *asses*, in our money 5000*l.*

2. It is observable, that when the Roman Senators obtained the privilege of sitting by themselves at the shews in the theatre, U. C. Var. 560, the people complained of the fastidiousness of the *wealthy*²; notwithstanding they had then the *equites* among them to keep them in countenance. About the same time T. Quinctius, in reforming the cities of Thessaly³, nominated Senators and Judges according to the value of their estates. Whence shall we think he drew this plan, but from the example of his parent city, Rome? Thus again, among the regula-

¹ Polyb. Excerpt. p. 1460 Ed. 8vo.

² Horum ædilitium ludos Romanos primum senatus a populo secretus spectavit—ad DLVIII. in promiscuo spectatum esse? Cur Dives pauperem confessorem fastidiret? Liv. xxxiv. 44.

³ A censu maxime senatum & judices legit. Liv. xxxiv.

xxx The PRINTER to the READER.

tions prescribed to the Halesini by C. Claudius the Prætor, and to the people of Agrigentum by Scipio, one was that the Senators should be possessed of *an estate to a certain value* ^x. I use here the authority as well as argument of Dr. Middleton, who cites this passage of Cicero to prove the Senatorian age among the Romans from what they directed to other nations. If it is good for a certain *age*, it is equally so for a certain *estate*.

3. Tho' we allow Asconius mistaken when he treats, as he pretends, *de more veterum*, yet his authority is good when he speaks almost of his own times. If so, his testimony is decisive for a Senatorian census prevailing at least in the latter end of the republic. *A Roman citizen, saies he, was specified in the censor's books, either by his prænomen, his family name, or surname; from his tribe or curia in which he was enrolled; or from his effects, as being a Senator or Knight.* Again; 'Tis certain, during the time of the republic a *census* was prescribed for the Judges

^x Cic. in Verrem, ii. 49. 50.

^y Moris autem fuit, saies he, ut, cum aliquis civis Romanus ostendendus esset, significaretur aut a prænomine suo, aut a nomine, aut a cognomine; aut a tribu in quo censeretur, aut a curia; aut a *censu*, ut si erat senator, & quæque Romanus. Ascon. ad Cic. in Verrem, i. 8.

by

by the Aurelian, Pompeian, and the Julian laws ^x. Now our Asconius tells us ^y, that by the Pompeian law, the judges were to be differently than heretofore nominated out of the three orders of Senators, Knights, and Centurions; all of them to be of the highest census. Siganus ^z thinks this judicial census was not only distinct from that of knights and senators, but higher than the lowest limits of each, i. e. that the judicial knights were to be possessed of more than what was prescribed to the knights in general, and the judicial senators of a larger census than that prescribed to the senators. This seems to me, with submission, a forced interpretation. Many had been the contests between the knights and senators for the judicial power. Pompey's law compromised the difference; it laid open the distinction of order, but with this restriction, that tho' the judges were

^x Cic. Philipp. i. 8.

^y Ut amplissimo ex censu, ex centuriis aliter quam ante, lecti judices, & que tamen ex illis tribus ordinibus, res judicarent. Ascon. in orat contra L. Pison. c 39.

^z Significat senatores legi potuisse, qui octingenta milia possiderent; equites, qui quadringenta; at judices e senatorio ordine, aut equestri, nisi qui amplissimo censu essent, id est, qui supra senatorium, aut equestrum censum possiderent, constitui non licuisse. Sigan. de antiquo jure civium Rom: l. ii. c. xviii.

xxxii The PRINTER to the READER.

not to be all senators, they should all be possessed of a senator's estate, *ex amplissimo censu lecti*; which I should interpret *ex censu ordinis amplissimi*.—But whatever was this judicial census, Pliny ascribes it^a, jointly with the *senatorial*, to the effects of luxury; and he would hardly so ill distinguish times as to jumble two institutions, which, began one, as we have seen, under the republic, the other, as Dr. Chapman imagines, under the emperors. We will apply, with this accurate writer^b, the particulars enumerated by Pliny to the times of affluence and of *agonizing liberty*. But we need not wait for those days till the reign of Augustus. Tho' it is allowed, by the conquest of Egypt^c a new fund of riches flowed into his capitol, yet more great fortunes seem to have been raised before the civil war broke out, when whole armies were supported by single persons, than were ever afterwards. The donations made by that emperor prove at once the immense wealth he was possessed of, and the want of it in others. He supplied not only

^a Posterioris laxitas mundi et rerum amplitudo damno fit, postquam senator censu legi cœptus, judex fieri censu. Plin. N. H. xiv. proœm.

^b Rom. Senate, p. 120, 121.

^c See hereafter, p. 240.

the

The PRINTER to the READER. xxxiii

the legal qualifications to knights and senators, but even the deficiencies of the treasury. We learn from the inscription at Ancyra, that at four donations^d only he distributed to 250,000 men iv hundred H. S. i.e. about 3*l.* 6*s.* 8*d.* a man, in all, near 210,000*l.* each time. In short, he is recorded there to have given away above xvii millions of pounds sterling, besides one donation which time has effaced.

4. Suetonius and Dio compared together lead us to think a qualification was required before the time of Augustus. Suetonius^e says, "Augustus ENLARGED the

^d The learned Mr. Chishul, under the fourth donation is fallen into a mistake, Tab. iii. l. 14. p. 174. "quæ mea congiaria pervenerunt ad [sesterti] VM millia nunquam minus quinquaginta et ducenta." p. 191. That is, as he understands it, each donation amounted to 50,200,000 H. S. and thence concludes, that since each man received cccc H. S. 125,000 always partook of the donation. But *millia quinquaginta et ducenta* can signify no more than 250,000. And do not here express H. S. but the number of receivers whom he searches for by implication, and should be read undoubtedly, "pervenerunt ad civivm or hominvm milia LIA" &c. as l. 15. "trecentis et viginti millibus PLEBEI." and l. 19. "acceperunt id hominvm circiter centum et viginti." and again l. 21. "ea millia hominvm paulo plura quam ducenta fuerunt."

^e Senatorum censum ampliavit, et pro octingentorum millium summa duodecies H. S. taxavit; suppletique non habentibus. Suet. in Aug. c. 41.

xxxiv *The PRINTER to the READER.*

" senatorian census, and from eight hundred thousand H. S. RAISED it to one million two hundred thousand H. S." Dio ^o, that Augustus " fixed it first at four hundred thousand H. S. in consideration of the misfortunes which many families had felt by the civil wars ; and afterwards raised it to a million." Now, according to Dr. Chapman's hypothesis, the result of what is here delivered is, that the senatorian census was fixed by Augustus first at four hundred thousand H. S. then at eight hundred thousand H. S. then a million, lastly at one million two hundred thousand. A strange mark of inconstancy in the emperor, and more strange inaccuracy in the historians ; the former passing over in silence the first rate ; the latter, the second. But we see prudence in the emperor, and method in the historians, if we suppose that Suetonius describes the senatorian census as Augustus *found* it, and as he *left* it at his death ; and that Dio mentions the rate to which Augustus *first sunk* it, and *afterwards raised* it. 'Tis true indeed Dio

^o Τοσδέων γὰρ [δίκαια μυριάδων] τὸ βαθεῖτελον τίμημα τὴν περιήλιην εἰςας ἔταξεν, ἵπτειλα καὶ τοῖς σώματες καὶ εἴκοσι μυριάδας αὐτὸν περιγέγαγε. Dio, l. iv. p. 532. vid. & p. 540.

says

The PRINTER to the READER. XXXV

says nothing here of Suetonius's one million two hundred thousand H. S. But he mentions the occasion of that report elsewhere, telling us, " That Augustus supplied several senators and knights with the money which was wanting to their qualification, and to fourscore of them gave *thirty myriads of drachms*"^P, the very sum which in the Roman style is *duodecies*, or one million two hundred thousand H. S. This munificent act of Augustus probably misled Suetonius to think that emperor ultimately raised the census to so high a rate..

I shall forbear all further enquiries except one : Whence is it, that I should thus presume to differ from my betters ? Errors in money accounts are daily adjusted without offence ; it would be strange, if any should be taken where we are less interested, where the sums are Roman. If I have not transgressed the decent bounds of Liberty, which is as necessary to the welfare of the literary, as of the political republic, I will trust to the Baron's natural, I may add national huma-

P Τοῖς μὲν τολείσοι τὸ τελαχυνέον τίμημα χιτπλήρωσιν, ἵγιακοια δὲ τοῖς καὶ οἱ τριάκοια μυριάδας τὸτο ιπένξονται.

Dio, lib. lv. p. 557.

xxxvi The PRINTER to the READER.

nity to pardon me. I claim no merit, nor will I give any.

*Perierunt judice formæ
Pergama.*

I have produced Gronovius, Perizonius, &c. who have varied from the Baron in computing fractions, while he has been holding the balance of kingdoms, and, no less a philosopher than statesman, accounting for the several operations of the commercial, political, and social world, on as regular principles as our Newton has fixed those of the natural: Nay, what is more; has reconciled the discordancy, I had almost said madness of Religion, to the uniformity and rectitude of Reason.

N. B. I have supposed the denarius to weigh 62 grains troy, under the republic and the first emperors, as Mr. Greaves has proved it ought to weigh, and experience that it did weigh. He reduces it, and Dr. Arbutbnot after him, &c. to $7 \frac{3}{4}$ d. English, taking our ounce at a round sum 5 s. But silver being in reality at 5 s. 3 d. per ounce, the denarius amounts to 8 d. which is thus more easily computed without any fraction, and is more exactly the truth.

ADDENDA.

Page 2. line 1. before ROMULUS *insert*

BUT the greatness of Rome soon appeared in its public Edifices. Works which ^a have raised, and still raise the greatest idea of its power, were formed under its kings. They began already to lay the foundation of that city, which was to be eternal.

^a See the astonishment of Dionysius Halicarnassus on the aquæducts built by Tarquin, *Ant. Rom.* l. iii. They are still subsisting.

Page 3. l. 1. before SEXTUS *insert*

One cause of the prosperity of Rome was, that all her kings were great men. No other history presents us with an uninterrupted succession of such statesmen and such captains.

In the infancy of societies, the leading men in the republic form the constitution; afterwards the constitution forms the leading men in the republic.

Page 2. after l. 25 add

It was a maxim then among the republics of Italy, that treaties made with one king were not obligatory towards his successor,

xxxviii A D D E N D A.

cessor. This was a sort of law of nations ^b among them. Thus every thing which had been submitted to by one king of Rome, they thought themselves disengaged from under another, and wars continually begot wars.

^b This appears throughout the history of the Kings of Rome.

Add to the note p. 9;

Ephorus relates that Artemon the engineer invented large machines to batter the strongest wall. Pericles was the first who made use of them at the siege of Samos, as Plutarch tells us in the Life of that general.

Page 12. after l. 11 add.

After the soldiers received pay, the senate no longer distributed to them the lands of the conquered people, upon whom other conditions were now imposed; they were obliged, for instance, to pay the army a certain quota for a time, and to send supplies of cloaths and corn.

To note ^b page 13. add

"They carried (says Cicero) provision for fifteen days,
" necessities of all sorts, and whatever they should
" have occasion for in throwing up trenches. As to their
" arms, they were no more incumbered with them than
" with their hands."

Page 16 after l. 10. add.

Aulus Gellius ^c gives no very good reasons for the custom among the Romans of letting soldiers bleed who had committed a

^c L. x. c. 8.

A D D E N D A. xxxix

fault; the true reason is, that strength being the chief qualification of a soldier, this was the means of adding not to his weakness, but to his disgrace.

Page 17. after l. 19. add

The violence of their exercises, and the wonderful roads they built, enabled them to make long and speedy marches. Their sudden presence damped the spirits of their opposers: they shewed themselves, especially after some unfortunate event, at a time when their enemies were in that state of negligence which is generally consequent on victory.

Page 18. l. 6. after Velites add

When they understood the excellence of the Spanish ^dsword, they quitted their own for it.

^d Fragm. of Polybius cited by Suidas in the word μάχαιρα.

Page 21. l. 2. after destroyed add

Before the corruption of the state, the original revenues of it were divided among the soldiers, that is, the labourers: after it was corrupted, they went first to the rich, who let them out to slaves and artificers, from whom they received by way of tribute a part for the maintenance of the soldiers.

Page 21. after l. 10. add.

In the survey ^c of the people of Rome some time after the expulsion of the kings, and in that taken by Demetrius Phalereus ^f at Athens, the number of inhabitants was found nearly equal; Rome had four hundred forty thousand, Athens four hundred thirty-one thousand. But the survey at Rome was made at the time when its establishment was come to maturity, and that of Athens when it was quite corrupt. We find that the number of citizens grown up to manhood, made at Rome a fourth part of its inhabitants, and at Athens a little less than the twentieth: the strength of Rome therefore, to that of Athens, was at these different times almost as four to twenty, that is, it was five times larger.

^c This is the Survey mentioned by Dionysius of Hicarnassus, lib. ix. art. 25. and which seems to me to be the same he speaks of at the end of his sixth book, made six years after the expulsion of the kings.

^f Ctesicles in Athenaeus, lib. vi.

Page 24. after l. 3. add

Tarentum, his ally, had much degenerated from the institution of the Lacedæmonians, her ancestors ^g. He might have done great things with the assistance of the Samnites; but they were almost quite destroyed by the Romans.

^g Justin. lib. xx.

Page

Page 38. begin CHAP. V. thus.

I imagine Hannibal did not abound in witticisms, especially in favour of Fabius and Marcellus against himself. I am sorry to see Livy strew his flowers on these enormous Colossus's of Antiquity : I wish he had done like Homer, who neglects embellishing them, and knew so well how to put them in motion.

Besides, what Hannibal is made to speak ought to have common sense : but if, on hearing the defeat of his brother, he said publicly, that it was the prelude of the ruin of Carthage, could any thing have a greater tendency to drive to despair a people who had placed their confidence in him, and to discourage an army which expected such high recompences after the war ?

Page 41. l. 18. after orators add

What is most extraordinary, their republic subsisted even in the midst of anarchy^a.

^a The magistrates, to please the multitude, did not open the courts of Justice : and the dying bequeathed their effects to their friends, to be laid out in feasts. See a fragment of the xxth book of Polybius, in the *Extratt of Virtues and Vices*.

Page 100. after l. 9. add

See the treatyⁱ which they made with the Latins after the victory at the lake of Regillum : it was a principal foundation of

ⁱ It is related by *Dion Hal. Lib. vi. c. 95. edit. Oxon.*

their

their power. There is not the most distant hint in it of any subjection on the part of the Latins.

P. 113. l. 17. in the note after tribes; add

And consequently had very little influence in the management of affairs; and this was looked upon as the bulwark of the republic: accordingly when Fabius^k again shut up in the four city tribes the meaner sort of the people whom Appius Claudius had dispersed among the others, he acquired the surname of Maximus,

^k See Livy, B. ix.

P. 158. l. 17. for into two actions read into actions, and after l. 20. add

In his Asian expedition he ruined all military discipline: he accustomed his men^l to pillage, and gave them wants which they had never had: he first corrupted the soldiers, who were afterwards to corrupt their leaders.

He entered Rome with an armed force, and taught^m the Roman generals to violate the Asylum of Liberty.

^l See in *Catiline's conspiracy* the portrait which Sallust draws of this army.

^m *Fugatis Marii copiis, primum urbem Romam cum armis ingressus est.* Fragment of John of Antioch, in the *Extract of Virtues and Vices*.

P. 159. after l. 18. add

After him, says Ciceroⁿ, came one, who in an impious cause, and a victory still more infamous, not only seized on the ef-

ⁿ *Offic. Lib. ii. c. 8.*

fects of individuals, but involved whole provinces in the same calamity.

Sylla, when he resigned the dictatorship, seemed to desire only to live under the protection of his own laws : but this action, which shewed so much moderation, was itself a consequence of his violences. He had settled forty-seven legions in different parts of Italy : These men, says Appian, imagining that their fortune depended on his life, watched for his safety, and were always ready ^o to assist or revenge him.

^o We may see what happened after the death of Cæsar.

P. 185. after l. 26. add

A woman, to whom Antony had sacrificed the whole world, betrayed him ; many captains and kings, whom he had raised or made, failed him ; and, as if generosity were connected with servitude, a company of gladiators remained heroically faithful to him. Load a man with benefits, the first idea you inspire him with, is to find ways to preserve them ; they are new interests which you give him to defend.

P. 212. after l. 27. add

The soldiers were attached to the family of Cæsar, under which they enjoyed every advantage that a revolution would have procured them. The time came, that the great families of Rome were all exterminated.

ed.

ed by that of Cæsar, which itself became extinct in the person of Nero. The civil power, which had been continually depressed, was unable to balance the military; each army wanted to make an emperor.

Let us here compare the times: When Tiberius began his reign, wherein did he not employ the senate?^P He was informed that the armies of Illyrium and Germany had mutinied: He granted some of their demands, and maintained, that it belonged to the ^q senate to judge of the rest. He sent to them deputies of that body. Those who have ceased to fear the power, may still respect the authority. When it had been represented to the soldiers, that in a Roman army the children of the emperors, and the deputies of the senate, ran the risk of ^r their lives, they might relent; and even proceed so far as to punish ^s themselves: But when the senate was entirely depressed, its example moved no one. In vain did ^t Otho harangue his soldiers, to talk to them of the dignity of the senate: in vain did ^u Vitellius send the principal senators to make his peace with Vespasian: They did not, for one mo-

^P Tacitus Annal. Lib. i.

^q Cartera senatui servanda. Ibid.

^r See the oration of Germanicus. Ibid.

^s Gaudebat cædibus miles, quasi semet absolveret: Tacitus, ibid. The privileges which had been extorted, were afterwards revoked. Tacitus, ibid.

^t Tacitus, Lib. i. ^u Idem. Lib. iii.

ment, pay to the orders of the state that respect which they had so long lost. The armies looked on these deputies as the most abject slaves of a master whom they had already rejected.

It was an ancient custom at Rome, for those who obtained a triumph, to distribute some money to each soldier : it was not much^x. In the time of the civil wars these gratuities were augmented^y. Formerly they were made with the money taken from the enemy ; in these unhappy times, they gave that of the citizens, and the soldiers would have a share where there was no booty : These distributions had taken place only after a war ; Nero made them in a time of peace : the soldiers were used to them, and they raged against Galba, who boldly told them, that he knew to choose, but not to buy them.

^x See in Livy the sums distributed in the several triumphs. It was the humour of the generals to carry a great deal of money into the public treasury, and give but little to the soldiers.

^y Paulus Æmilius, at a time when the greatness of the conquests had occasioned these liberalities to be augmented, gave only one hundred denarii to each private man ; but Cæsar gave two thousand, and his example was followed by Antony and Octavius, by Brutus and Cassius. See Dio and Appian.

P. 233. after l. 6. add

We no longer see any of those swarms of Barbarians which the North formerly sent out.

out. The violences of the Romans had made the people of the South retire into the North : while the force which confined them, subsisted, they remained there : when it was weakened, they dispersed themselves into all parts^z. The same thing happened some ages after. The conquests and tyrannies of Charlemagne had again forced the nations of the South into the North : as soon as this empire was weakened, they poured a second time from the North into the South. And if at present a prince made the same ravages in Europe, the nations driven into the North, with their backs to the limits of the universe, would maintain their ground, till the moment they should overrun and conquer Europe a third time.

^z This may serve for an answer to the famous question, Why the North is no longer so populous as formerly ?

P. 244. after l. 2. add

The shortness of the reigns, the divers political parties, the different religions, the particular sects of those religions, have occasioned the characters of the emperors to come down to us extremely disfigured ; of which take only two examples : that Alexander, who is such a coward in Herodian, appears full of courage in Lampridius ; Gratian, so much extolled by the Orthodox, Philostorgius compares to Nero.

C O N-

CONTENTS.

CHAP.

I. THE Infancy of Rome. 2. The wars it sustained	Page 1
II. Of the science of war as practised by the Romans	12
III. The methods by which the Romans raised themselves to empire	19
IV. 1. Of the Gauls. 2. Of Pyrrhus. 3. Parallel between Carthage and Rome. 4. The war of Hannibal	22
V. The state of Greece, of Macedonia, of Syria, and of Egypt, after the depression of Carthage	38
VI. The principal difference between the commerce of the Ancients and the Moderns	53
VII. The conduct which the Romans observed, in order to subdue all nations	85
VIII. How it was possible for Mithridates to resist the Romans	101
IX. Of the divisions which always subsisted in the city	106
X. Of the division of the three powers under the different governments of Rome	116
XI. Two causes which destroyed Rome,	
	145
	XII.

C O N T E N T S. xlviii

C H A P.	P a g e
XII. <i>Of the corruption of the Romans</i>	153
XIII. <i>Of Sylla, Pompey, and Cæsar</i>	157
XIV. <i>Observations on the state of Rome after the death of Cæsar</i>	174
XV. <i>Augustus</i>	183
XVI. <i>Tiberius</i>	195
XVII. <i>Remarks on the emperors from Cæsarius Caligula to Antoninus</i>	203
XVIII. <i>Considerations on the state of the em- pire from Antoninus to Probus</i>	217
XIX. <i>Changes in the state</i>	234
XX. <i>An account of some new maxims re- ceived by the Romans</i>	248
XXI. <i>Some particulars of the grandeur of Attila. The establishment of the Barbarians accounted for. Rea- sons why the Western empire was overturned before that in the East</i>	258
XXII. <i>The Conquests of Justinian. 2. Some account of his government</i>	270
XXIII. <i>Disorders in the Eastern empire</i>	284
XXIV. <i>The weakness of the Eastern empire</i>	292
XXV. <i>The duration of the Eastern empire accounted for. 2. Its destruction</i>	310
<i>A Dialogue between Sylla and Eucrates</i>	323

REFLEC-

REFLECTIONS

On the Causes of the Grandeur and Declension Of the *Romans.*

CHAPTER I.

1. *The Infancy of Rome.* 2. *The Wars it sustain'd.*

WE must not form to ourselves an idea of the city of Rome, in its infancy, from the cities which exist at this time, unless we have in view those of the Crim Tartars, built for the stowing and securing of plunder, cattle, fruits, and other produce of the country. The antient names of the chief places in Rome, are all relative to this use. *

The city was even without streets, unless we will give this name to the continuation of roads which center in it. The houses were straggling, built after an irregular manner, and very small; for the inhabitants being always either at their work, or in the public square, were very seldom at home.

[* Does the author mean Forum boarium, olitorium, &c.]

Value of ancient
ROMULUS, and his successors, were engag'd in almost perpetual wars with their neighbours, to encrease the number of their citizens, their women, and their territories. They us'd to return to the city, loaded with the spoils of conquer'd nations; and these spoils, which consisted of wheat-sheaves and flocks, us'd to fill them with the greatest joy. Such is the origin of triumphs, to which that city, afterwards, chiefly ow'd its grandeur.

The strength of the Romans was greatly increas'd by their union with the Sabines, a stubborn, warlike people, resembling the Lacedæmonians from whom they sprung. Romulus ^a copied the form of their shields, which were large, and us'd them ever afterwards instead of the small buckler of Argos: And 'tis to be observ'd, that the circumstance which chiefly raised the Romans to the sovereignty of the world, was, their laying aside their own customs as soon as they met with better among the people they conquer'd; and 'tis well known that they fought successively against all nations.

The reign of NUMA, being long and pacific, was very well adapted to leave the Romans in their humble condition; and had their territory in that age been less confin'd, and their power greater, 'tis probable their fortune would have been fix'd for ever.

^a Plutarch's life of Romulus.

SEXTUS

DECLENSION of the ROMANS. 3

SEXTUS the son of TARQUIN, by violating the chastity of LUCRETIA, took such a step as has seldom failed to drive tyrants from the cities over which they presided ; for when once a people are made strongly sensible, by the commission of so enormous a crime, of the slavery to which they are reduc'd, they immediately form a desperate resolution.

A people may suffer, without murmuring, the imposing of new tributes, since they are not certain but that some advantage may accrue to themselves, from the disposal of the monies so levied : But when an insult is put upon them, they are affected with their misfortune only ; and this they aggravate, by fixing to it the idea of all the calamities which can possible happen.

It must however be confess'd, that the death of Lucretia, did no more than occasion, accidentally, the revolution which happen'd ; for a haughty, enterprizing, bold people, confin'd within walls, must necessarily either shake off the yoke, or soften the asperity of their manners.

From the situation of things at that time, this was the result ; either that Rome should change the form of its government, or continue for ever a small, poor monarchy.

Modern history furnishes us with a very remarkable example of what happen'd at that time in Rome ; for as men have been

sensible of the same Passions in all ages, the occasions which give rise to great revolutions, are various, but the causes are for ever the same.

As HENRY VII of England increas'd the power of the commons, merely to humble the nobility ; so SERVIUS TULLIUS enlarged the privileges of the people, in order to depress the senate ; but the people growing afterwards bolder, ruin'd each of the monarchies under which they liv'd.

No flattering colours have been employ'd, in the picture which is left us of TARQUIN ; his name has not escap'd any of the orators who declaim'd against tyranny ; but his conduct before his calamities, which 'tis evident he foresaw ; his gentleness and humanity towards the conquer'd, his beneficence to the soldiers, the arts by which he engaged such numbers to endeavour at his preservation, the edifices he rais'd for the public use, his courage in the field, the constancy and patience with which he bore his misfortunes, a twenty years war he either carried on, or caus'd to be carried on against the Romans, tho' depriv'd of his kingdom, and very poor ; these things, and the resources he perpetually found, prove manifestly, that he was no contemptible person.

The rank or place which posterity bestows, is subject, as all others are, to the whim

whim and caprice of fortune : Woe to the reputation of that monarch who is oppressed by a party which after becomes the prevailing one ; or who has endeavour'd to destroy a prepossession that survives him.

The Romans, after having banish'd their kings, appointed consuls annually, a circumstance which contributed to raise them to so exalted a pitch. In the lives of all princes there are certain periods of ambition, and these are afterwards succeeded by other passions, and even by indolence ; but the commonwealth being govern'd by magistrates who were changed every year, and who endeavour'd to signalize themselves in their employment, in the view of obtaining new ones, ambition had not a moment to lose. Hence it was that these magistrates were ever persuading the senate to stir up the people to war, and pointed out to them new enemies every day.

This body (the senate) was inclin'd enough to do this of their own accord ; for, being quite tir'd of the complaints and demands of the people, they endeavour'd to remove the occasion of their di'quiet, and to employ them in foreign wars.

Now the common people were generally pleas'd with war, because a method had been found to make it beneficial to them, by the judicious distribution that was made of the spoils.

6 *Of the GRANDEUR and*

Rome being a city in which neither trade nor arts flourished, the several individuals had no other way of enriching themselves, but by rapine.

An order and discipline was therefore established in the way and manner of pillaging^b, and this was pretty near the same with that now practised among the inhabitants of Lesser Tartary.

The plunder was laid together, and afterwards distributed among the soldiers; not even the minutest article was lost, because every man, before he set out, swore not to embezzle any thing; besides that the Romans were, of all nations, the most religious observers of oaths, these being consider'd as the sinews of their military discipline.

In fine; those citizens who staid at home, shar'd also in the fruits of the victory; for part of the conquer'd lands was confiscated, and this was subdivided into two portions, one of which was sold for the benefit of the public, and the other divided by the commonwealth, among such citizens as were but in poor circumstances, upon condition of their paying a small acknowledgment.

As the consuls had no other way of obtaining the honour of a triumph, than by a conquest or a victory, this made them rush into the field with unparallel'd impetuosity;

^b See Polybius, Book x.

they

DECLENSION of the ROMANS. 7

they march'd directly to the enemy, when force immediately decided the contest.

Rome was therefore engag'd in an eternal, and ever-obstinate war : Now, a nation that is always ^c at war, and that too from the very frame and essence of its government, must necessarily be destroy'd, or subdue all other nations ; for, these being sometimes at war, and at other times in peace, could never be so able to invade others, nor so well prepared to defend themselves.

By this means the Romans attain'd a perfect knowledge in the military arts : In transient wars most of the examples are lost ; peace suggests different ideas, and we forget not only our faults but even our virtues.

Another consequence of the maxim of waging perpetual war, was, that the Romans never concluded a peace but when they were victorious ; and indeed, to what purpose would it be to make an ignominious peace with one nation, and afterwards go and invade another ?

In this view, their pretensions rose always in proportion to their defeat ; by this they surpriz'd the conquerors, and laid themselves under a greater necessity of conquering.

* The Romans considered foreigners as enemies : Hostis, according to Varro De lingua Lat. lib. iv. signified at first a foreigner who liv'd according to his own laws.

8 *Of the GRANDEUR and*

Being for ever obnoxious to the most severe vengeance; perseverance and valour became necessary virtues: And these could not be distinguish'd, among them, from self-love, from the love of one's family, of one's country, and whatever is dearest among men.

The same had happen'd to Italy, which befel America in late ages; the natives of the former, quite helpless and dispers'd up and down, having resign'd their habitations to new comers, it was afterwards peopled by three different nations, the Tuscans^d, the Gauls, and the Greeks. The Gauls had no manner of relation or affinity either with the Greeks or Tuscans; the latter form'd a society which had its peculiar language, customs and morals; and the Grecian colonies, who descended from different nations that were often at variance, had pretty separate interests.

The world in that age was not like the world in ours: Voyages, conquest, traffick; the establishment of mighty states; the invention of post-offices, of the sea-compass, and of printing; these, with a certain general polity, have made correspondence much easier, and given rise, among us, to an art, call'd by the name of Politicks:

^d 'Tis not known whether they were originally of that country, or only a colony; but Dion. Halicarnassus is of the former opinion, lib. i.

DECLENSION of the ROMANS. 9

Every man sees at one glance whatever is transacted in the whole universe ; and if a people discover but ever so little ambition, all the nations round them are immediately terrified.

The people of Italy had ^c none of those engines which were employ'd in sieges : And further, as the soldiers were not allow'd any stipend, there was no possibility of keeping them long before a town or fortress : Hence it was, that few of their wars were decisive : These fought from no other motive, but merely to plunder the enemy's camp or his lands ; after which, both the conqueror and the conquered march'd back to their respective cities. This circumstance gave rise to the strong resistance which the people of Italy made, and at the same time to the inflexible resolution the Romans formed to subdue them ; this favoured the latter with victories, which no way deprav'd their morals, and left them in their original poverty.

Had the Romans made a rapid conquest of the neighbouring cities, they would have been in a declining condition at the arrival of Pyrrhus, of the Gauls, and of Hannibal ; and, by a fate common to most governments in the world, they would have made too

^c D. Halicarnass. declares so expressly, lib. ix. and this appears by history : They us'd to attempt the scalado of cities with ladders.

quick a transition from poverty to riches, and from riches to depravity.

But Rome, for ever struggling, and ever meeting with obstacles, made other nations tremble at its power, and at the same time was unable to extend it ; and exercised in a very narrow compass of ground, a train of virtues that were to prove of the most fatal consequence to the universe.

All the people of Italy were not equally warlike : Those who inhabited the eastern part, as the Tarentines and the Capuans ; all the cities of Campania, and of Græcia Major, were quite immers'd in indolence and in pleasures ; but the Latins, the Hernici, the Sabines, the Æqui, and the Volscians were passionately fond of war : These nations lay round Rome ; the resistance they made to that city was incredible, and they surpass'd them in stubborness and inflexibility.

The Latin cities sprung from Alban colonies, which were founded ^f by **LATINUS SYLVIVS** : Besides their common extraction with the Romans, there were several rites and ceremonies common to both ; and **SERVIVS TULLIVS** had ^g engag'd them to build a temple in Rome, to serve as the center of union of the two nations. Losing a battle near the lake Regillus, they were sub-

^f As appears from the treatise entitled *Origo Gentis Romanae*, ascribed to *Aurelius Victor*.

^g *D. Halicarnass.*

DECLENSION of the ROMANS. II

jected to an alliance, and forc'd to associate in the ^b wars which the Romans wag'd.

'Twas manifestly seen, during the short time that the tyranny of the decemvirs lasted, how much the aggrandizing of Rome depended on its liberty. The government seem'd to have lost the ⁱ soul which animat-ed even to the minutest part of it.

There remain'd at that time but two sorts of people in the city, those who submitted to slavery, and those who, for their own private interest, endeavour'd to enslave the rest. The senators withdrew from Rome as from a foreign city ; and the neighbour-ing nations did not meet with the least re-sistance from any quarter.

The senate having found means to give the soldiers a regular stipend, the siege of Veii was undertaken, which lasted ten years. But now a new art, and a new system of war, were seen to arise among the Romans ; their successes were more signal and conspi-cuous ; they made a better advantage of their victories ; their conquests were greater, they sent out more colonies ; in fine, the taking of Veii prov'd a kind of revolu-tion.

^b See in D. Halicarnaff. lib. vi. one of the treaties concluded with this people.

ⁱ These Decemviri, upon pretence of giving written laws to the people, seiz'd upon the government. See D. Halicarnaff. lib. xi.

But all this did not lessen their toils : If, on one side, they attack'd with greater vigour the Tuscans, the Æqui, and the Volscians ; for this very reason they were abandon'd by the Latins and the Hernici their allies, who were arm'd after the same manner, and observ'd the same discipline with themselves ; this engag'd the Tuscans to form new alliances ; and prompted the Samnites, the most martial people of all Italy, to involve them in a furious war.

The taking of Rome by the Gauls did no way lessen its strength ; almost the whole army, which was dispers'd rather than overcome, withdrew to Veii ; the people shelter'd themselves in the adjacent cities ; and the burning of Rome was no more than the setting fire to a few cottages of shepherds.

CHAPTER II.

Of the Science of War as practised by the ROMANS.

AS the Romans devoted themselves entirely to war, and consider'd it as the only science, they therefore bent all their thoughts, and the genius with which they were inform'd, to the improvement of it : Doubtless a god, says * Vegetius, inspired them with the idea of the legion.

* L. ii. cap. 1.

They

DECLENSION of the ROMANS. 13

They judged that it would be necessary to arm the soldiers who compos'd the legion with weapons, whether offensive or defensive, of a stronger and ^b heavier kind than those of any other nation.

But as some things must be done in war, which a heavy body is not able to execute, the Romans would have the legion include within it self a band of light forces, which might issue from it in order to provoke the enemy to battle, or draw back into it in case of necessity ; they also would have this legion strengthen'd with cavalry, with arches, and slingers, to pursue those who fled, and compleat the victory ; that it should be defended by military engines of every kind, which it drew after it ; that every evening this body should entrench itself, and be, as Vegetius ^c observes, a kind of strong-hold.

But that the Roman soldiers might be able to carry heavier arms than other men, it was necessary they should become more than men ; and this they became by perpetual labour which increas'd their vigour, and by exercises that gave them an activity, which

^b See in Polybius, and in Josephus, *De bello Judaico*, lib. ii. a description of the arms of the Roman soldiers. There is but little difference, says the latter, between a Roman soldier and a loaded horse.

^c Lib. ii. cap. 25.

14 *Of the GRANDEUR and*

is no more than a just distribution of the strength we are invigorated with.

'Tis observ'd in this age, that the ^d immoderate labour which soldiers are oblig'd to undergo, destroys our armies; and yet 'twas by incredible labour that the Romans preserv'd themselves. The reason I take to be this; their toils were continual and uninterrupted, whereas our soldiers are ever shifting from the extremes of labour to the extremes of idleness, than which nothing can possibly be more destructive.

I must here take notice of what authors relate concerning the training up of the Roman soldiery. They were inur'd to the military pace, that is, to walk twenty miles, and sometimes four and twenty, in five hours. During these marches, they carried burthens of threescore pound weight; they habituated themselves to running and leaping, arm'd cap-a-pee; in their ^e exercises

^d Particularly the throwing up of the ground.

^e See in Vegetius lib. i and in Livy, lib. xxvi. the exercises which Scipio Africanus made the soldiers perform after the taking of Carthago Nova. Marius us'd to go every day to the Campus Martius, even in his extreme old age. 'Twas customary for Pompey, when ^f years of age, to arm himself cap-a-pee, and engage in single combate with the Roman youths. He us'd to exercise himself in riding, when he would run with the swiftest career, and hurl the javelin. Plutarch in the lives of Marius and Pompey.

^f Vegetius lib. i.

they

they made use of swords, javelins and arrows, double the weight of common weapons ; and these exercises were carried on without intermission.

The camp was not the only military school ; there being, in Rome, a place in which the citizens us'd to perform exercises ('twas the Campus Martius) : After their fatigues ^s they plung'd into the Tyber, to accustom themselves to swimming, and cleanse away the dust and sweat.

Whenever the Romans thought themselves expos'd to any danger, or were desirous of repairing some loss, 'twas a constant practice among them to invigorate and give new life to their military discipline. Are they engag'd in a war with the Latins, a people no less martial than themselves ? **MANLIUS** reflects upon the best methods of strengthening the command in the field, and puts to death his own son, for conquering without his orders. Are they defeated before Numantia ? **SCIPIO ÆMILIANUS** immediately removes the several blandishments, which had enervated them. Have the Roman legions past under the yoke at Numidia ? **METELLUS** wipes away their ignominy, the instant he has oblig'd them to resume their ancient institutions. **MARIUS**, that he may be enabled to vanquish the Cimbri and the Teutones, begins by diverting the

^s Idem ibid.

course of rivers; and SYLLA employs in such hard labour, his soldiers, who were terrified at the war which was carrying on against Mithridates, that they sue for battle, to put an end to their hardships.

PUBLIUS NASICA made the Romans build a fleet of ships, at a time when they had no occasion for such a force: These people dreaded idleness more than an enemy.

In the battles fought in our age, every single soldier has very little security and confidence except in the multitude; but among the Romans, every individual, more robust and of greater experience in war, as well as more inur'd to the fatigues of it, than his enemy, relied upon himself only. He was naturally endued with courage, or in other words, with that virtue which a sensibility of our own strength inspires.

These men thus inur'd were generally healthy and vigorous: We don't find by historians, that the Roman armies, which wag'd war in so great a variety of climates, fell often a prey to diseases; whereas in the present age we daily see armies, without once engaging, perish and melt away, if I may use the expression, in a single campaign.

Desertions are very frequent among us for this reason, because the soldiers are the dregs of every nation, and not one of them

^b Frontin. Stratagem. lib. i. cap. 11.

possesses,

possesses, or thinks himself possess'd of, a certain advantage which gives him a superiority over his comrades. But among the Romans they were less frequent ; it being scarce possible that soldiers, rais'd from among a people naturally so haughty and imperious, and so sure of commanding over others, should demean themselves to such a degree, as to cease to be Romans.

As their armies were not great, they were easily subsisted : The commander had a better opportunity of knowing the several individuals ; and could more easily perceive the various faults and misdemeanours committed by the soldiery.

As no troops in the world were, in any age, so well disciplin'd, 'twas hardly possible that in a battle, how unfortunate soever, but some Romans must rally in one part or other of it ; or on the other side, but that the enemy must be defeated in some part of the field : And, indeed, we find every where in history, that whenever the Romans happen'd to be overpow'r'd at the beginning, either by numbers, or the fierceness of the onset, they at last wrested the lawrel out of the enemy's hand.

Their chief care was to examine, in what particular their enemies had an advantage over them, and when this was found, they immediately rectified it. The cutting swords
of

Vit. 10. ' of the Gauls, and the elephants of Pyrrhus intimidated them but once. They strengthen'd their cavalry, ^k first, by taking the bridles from the horses ; that their impetuosity might be boundless, and afterwards by intermixing them with Velites ^l : They baffled all the art of the most experienc'd pilots, by the invention of an engine which is describ'd by Polybius. In fine, as Josephus observes ^m, war was a subject of meditation to the Romans, and peace an exercise.

If any nation boasted, either from nature or its institution, any peculiar advantage, the Romans immediately made use of it : They employ'd their utmost endeavours to procure horses from Numidia, bowmen from Crete, slingers from the Baleares, and ships from the Rhodians.

ⁱ The Romans us'd to present their javelins, when the Gauls struck at them with their swords, and by that means blunted them.

^k At the time that they warr'd against the lesser nations of Italy, their horse was superior to that of their enemies, and for this reason, the cavalry were compos'd of none but the ablest bodied men, and the most considerable among the citizens, each of whom had a horse maintain'd at the publick expence. When they alighted, no infantry was more formidable, and they very often turn'd the scale of victory.

^l These were young men lightly arm'd, and the most nimble of all the legion. At the least signal that was given, they wou'd either leap behind a horseman, or fight on foot. Valerius Maximus, lib. ii. Livy, lib. xxvi

^m De Bello Judaico, lib. ii.

To

To conclude, no nation in the world ever prepar'd for war with so much wisdom, and carried it on with so much intrepidity.

CHAPTER III.

The Methods by which the ROMANS rais'd themselves to Empire.

AS the people of Europe, in this age, have very near the same arts, the same arms, the same discipline, and the same manner of making war; the prodigious fortune to which the Romans attain'd, seems incredible to us. Besides, power is at this time divided so disproportionately, that 'tis not possible for a petty state to raise itself, merely by its own strength, from the low condition in which providence has plac'd it.

This merits some reflections, otherwise we might behold several events without being able to account for them; and for want of having a perfect idea of the different situation of things, we should believe, in perusing antient history, that we view a sett of men different from ourselves.

Experience has shewn perpetually, that an European prince who has a million of subjects, cannot, without destroying himself, keep up and maintain above ten thousand

sand soldiers ; consequently, great nations only are possess'd of armies.

But the case was different antiently with regard to commonwealths : For this proportion between the soldiers and the rest of the people, which is now as one to an hundred, might, in those times, be, pretty near, as one is to eight.

The founders of antient commonwealths had made an equal distribution of the lands : This circumstance alone rais'd a nation to power ; that is to say, made it a well-regulated society : This also gave strength to its armies ; it being equally the interest (and this too was very great) of every individual, to exert himself in defence of his country.

When laws were not executed in their full rigour, affairs returned back to the same point in which we now see them : The avarice of some particular persons, and the lavish profuseness of others, occasion'd the lands to become the property of a few ; immediately arts were introduc'd to supply the reciprocal wants of the rich and poor ; by which means there were but very few soldiers or citizens seen ; for the revenues of the lands that had before been employ'd to support the latter, were now bestow'd wholly on slaves and artificers, who administred to the luxury of the new proprietors ; for otherwise the government, which, how licentious

centious soever it be, must exist, would have been destroy'd ^{V. 4. 22} And 'twas impossible that people of this cast should be good soldiers, they being cowardly and abject; already corrupted by the luxury of cities, and often by the very art they profess'd; not to mention, that as they could not properly call any country their own, and reap'd the fruits of their industry in every clime, they had very little either to lose or keep. ^{V. 4. 22.}

^a Agis and Cleomenes observing, that instead of thirty thousand citizens, (for so many were at Sparta in Lycurgus's time) there were but seven hundred, scarce a hundred of whom were possess'd of lands; and that all the rest were no more than a cowardly populace; they undertook to revive the laws enacted on this occasion; and from that period Lacedæmonia recover'd its former power, and again became formidable to all the Greeks.

'Twas the equal distribution of lands that at first enabled Rome to soar above its humble condition; and this the Romans were strongly sensible of in their corrupted state.

This commonwealth was confin'd to narrow bounds, when the Latins, having refus'd to succour them with the troops which

^a See Plutarch's life of Cleomenes.

had been ^b stipulated, ten legions were presently rais'd in the city only : Scarce at this time, says Livy, Rome, whom the whole universe is not able to contain, could levy such a force, were an enemy to appear suddenly under its walls ; a sure indication that we have not risen in power, and have only increas'd the luxury and wealth which incommode us.

Tell me, would TIBERIUS GRACCHUS say ^c to the nobles, Which is the most valuable character, that of a citizen or of a perpetual slave ? Who is most useful, a soldier, or a man entirely unfit for war ? Will you, merely for the sake of enjoying a few more acres of land than the rest of the citizens, quite lay aside the hopes of conquering the rest of the world, or be expos'd to see yourselves dispossess'd by the enemy, of those very lands which you refuse us ?

C H A P T E R IV.

1. *Of the Gauls.* 2. *Of Pyrrhus.* 3. *Parallel between Carthage and Rome.* 4. *The War of Hannibal.*

TH E Romans were engag'd in several wars against the Gauls : A thirst of

^b Livy : Decad. L. vii. This was some time after the taking of Rome, under the consulship of L. Furius Camillus, and App. Claudius Crassus.

^c Appian.

glory,

glory, a contempt of death, and an inflexible resolution of conquering, were equal in both nations, but the weapons they us'd were different; the bucklers of the latter were small, and their swords unfit for execution; and indeed, the Gauls were cut to pieces by the Romans, much after the same manner as the Mexicans, in these latter ages, by the Spaniards; and a surprizing circumstance is, that tho' these people were combating perpetually with the Romans, they yet suffer'd themselves to be destroy'd one after another, without their ever being sensible of, enquiring after, or obviating the cause of their calamities.

PYRRHUS invaded the Romans at a time when they were strong enough to oppose the power of his arms, and to be taught by the victories he obtain'd over them: From him they learnt to entrench themselves, as also the choice and proper disposition of a camp: He accustom'd them to elephants, and prepar'd them for mightier wars.

The grandeur of Pyrrhus was confin'd merely to his personal qualities. Plutarch⁴ informs us, that he was oblig'd to begin the war of Macedonia, from his inability to maintain any longer the six thousand foot, and five hundred horse in his service. This prince, sovereign of a small country which has never made the least figure since his

⁴ In his life of Pyrrhus.

time,

time, was a military rambler, who was continually forming new enterprises, because he could not subsist but by enterprizing.

V. 400
As the CARTHAGINIANS grew wealthy sooner than the Romans, so they were sooner corrupted: Thus whilst at Rome, public employments were made the reward of virtue only, and no other emolument accrued from them than honour, and a preference in toils; at Carthage, the several advantages which the public can bestow on particular persons were venal, and every service done by such persons was there paid by the public.

A monarchy is not dragg'd nearer to the brink of ruin by the tyranny of a prince, than a commonwealth by a lukewarmness and indifference for the general good. The advantage of a free state is, that the revenues are employ'd in it to the best purposes, but where does not the reverse of this happen! The advantage of a free state is, that it admits of no favourites; but when the contrary is seen, and instead of the friends and relations of a prince, great fortunes are amass'd for the friends and relations of all persons who have any share in the government; in this case an universal ruin must ensue; the laws are then eluded more dangerously, than they are infring'd by a sovereign prince, who being always the greatest

citizen in the state, is most concern'd to labour at its preservation.

By the constant practice of ancient customs and manners, and a peculiar use that was made of poverty, the fortunes of all the people in Rome were very near upon a level; but in Carthage, some particular persons boasted the wealth of kings.

The two prevailing factions in Carthage were so divided, that the one was always for peace, and the other always for war; by which means it was impossible for that city, either to enjoy the one, or engage in the other to advantage.

In Rome, ^b war immediately united the several interests, but in Carthage it divided them still more.

^b Hannibal's presence put an end to all the feuds and divisions which till then prevail'd among the Romans; but the presence of Scipio irritated those which already subsisted among the Carthaginians, and shackled, as it were, the strength of the city; for the common people now grew diffident of the generals, the senate, and the great men; and this made the people more furious. Appian has given us the history of this war, carried on by the first Scipio.

[Polybius tells us, that there was this inconveniency at Carthage in the second Punic war, that the senate had lost almost all their authority. We are informed by Livy, that when Hannibal returned to Carthage, he found that the magistrates and the principal citizens had abused their power, and converted the public revenues to their own emolument. The virtue therefore of the magistrates, and the authority of the se-

In a monarchy, feuds and divisions are easily quieted, because the prince is invested with a coercive power to curb both parties; but they are more lasting in a commonwealth, because the evil generally seizes the very power which only could have wrought a cure.

In Rome, which was govern'd by laws, the people entrusted the senate with the management of affairs; but in Carthage, which was govern'd by fraud and dissolute-
ness, the people would themselves transact all things.

Carthage, in warring with all its riches against the poverty of Rome, had a disadvantage in this very circumstance; for gold and silver may be exhausted, but virtue, perseverance, strength and poverty are inexhaustible.

The Romans were ambitious thro' pride, and the Carthaginians thro' avarice; the former would command, the latter amass; and these, whose minds were wholly turn'd to traffick, perpetually casting up their income and expences, never engag'd in any war from inclination.

The loss of battles, the decrease of a people, the decay of trade, the consumption of the publick treasure, the insurrection
nate, both fell at the same time; and all was owing to the same causes, the dissolution of principles. *L'Esprit des Loix*, L. viii. c. 14.]

of

of neighbouring nations, might force the Carthaginians to submit to the severest terms of peace: But Rome was not sway'd by the consideration of blessings or calamities, being determin'd by no other motive but its glory; and as the Romans were persuaded they could not exist without commanding over others, neither hopes nor fears of any kind, could prevail with them to conclude a peace, the conditions of which were not prescribed by themselves.

Nothing is so powerful as a commonwealth in which the laws are exactly obser'd, and this not from fear nor from reason, but from a passionate impulse, as in Rome and Lacedæmon; for then the wisdom of a good legislature is united to all the strength a faction could possibly boast.

The Carthaginians made use of foreign forces, and the Romans employ'd none but their own. As the latter had never consider'd the vanquished but merely as so many instruments for future triumphs; they made soldiers of the several people they conquer'd; and the greater opposition those made, the more worthy they judg'd them of being incorporated into their republic. Thus we find the Samnites, who were not subdu'd till after four and twenty triumphs^b, become auxiliaries to the Romans; and some time before the second Punic war, they

^b Flor. l. i.

rais'd from among that nation and their allies ^c, that is, from a country of little more extent than the territories of the pope and Naples; seven hundred thousand foot, and seventy thousand horse, to oppose the Gauls.

In the height of the second Punic war, Rome had always a standing army of twenty two or twenty four legions; and yet it appears by Livy, that at this time the census, or general survey, amounted to but about 137000 citizens.

The Carthaginians employ'd a greater number of troops in invading others, and the Romans in defending themselves; the latter arm'd, as we have just now seen, a prodigious multitude of men to oppose the Gauls and Hannibal who invaded them; and they sent out no more than two legions against the most powerful kings; by which means their forces were inexhaustible.

Carthage was not so strong from its situation, as Rome from the spot on which it stood: The latter had thirty colonies ^d round it, all which were as so many bulwarks. The Romans were never abandon'd by one of their allies till the battle of Cannæ; the reason is, the Samnites and

^c See Polybius. According to the epitome of Florus they raised three hundred thousand men out of the city and among the Latins.

^d See Livy, lib. xxvii.

other

other nations of Italy were us'd to their sovereignty.

As most of the cities of Africa were poorly fortified, they presently surrendred to the first enemy that appear'd under their walls ; so that Agathocles, Regulus, Scipio, in a word, all who made a descent on those places, immediately spread despair thro' all Carthage.

We can ascribe to nothing but to an evil administration, the several calamities which the Carthaginians suffer'd during the whole war that Scipio carried on against them ; their city ^e, and even their armies were famished, at the same time that the Romans enjoy'd a profusion of all things.

Among the Carthaginians, the armies which had been defeated grew more insolent upon it, insomuch that they sometimes us'd to crucify their generals, punishing them in this manner for their own cowardice. Among the Romans, the consul, after punishing such soldiers as had fled from their colours, by a ^f decimation, march'd the surviving forces against the enemy.

^e See Appian, lib. Libycus.

^f This punishment, which was inflicted on those who had run from their colours, or mutineers, &c. was thus : The names of all the criminals being put together in a vessel or shield, were afterwards drawn out, every tenth man being to die without reprieve. By this means, tho' all were not put to death, yet all were terrified into obedience. Note by the translator.

The government of the Carthaginians was vastly oppressive^a: They had trampled so much upon the Spaniards, that, when the Romans arriv'd among them, they were consider'd as their deliverers; and if we reflect upon the immense sums it cost the Carthaginians to maintain, in that country, a war which prov'd fatal to them, 'twill appear that injustice is very improvident, and is not mistress of all she promises.

The founding of Alexandria had very much lessen'd the trade of Carthage. In the first ages, superstition us'd to banish, in some measure, all foreigners from Egypt; and after the Persians had conquer'd this kingdom, they had bent their whole thoughts to the weakning of their new subjects; but under the Grecian monarchs, Egypt possess'd almost the whole commerce of the universe^b, and that of Carthage began to decay.

Such powers as are establish'd by commerce, may subsist for a long series of years in their humble condition, but their grandeur is of short duration; they rise by little and little, and in an imperceptible manner, for they don't perform any particular exploit which may make a noise, and signalize their power: But when they have

^a See what is related by Polybius concerning their exactions.

^b [See more of this hereafter in chap. vi.]

once rais'd themselves to so exalted a pitch, that 'tis impossible but all must see them, every one endeavours to deprive this nation of an advantage which it had snatch'd, as it were, from the rest of the world.

The Carthaginian cavalry was preferable to that of the Romans, for these two reasons; first, because the horses of Numidia and Spain were better than those of Italy; secondly, because the Roman cavalry was but indifferently provided with arms; for the Romans, as ⁱ Polybius informs us, did not introduce any change on this occasion, till such time as they fought in Greece.

In the first Punic war, Regulus was defeated as soon as the Carthaginians made choice of plains for their cavalry to engage in; and in the second, ^k Hannibal ow'd his most glorious victories to the Numidians.

Scipio, by the conquest of Spain and the alliance he made with Masinissa, depriv'd the Carthaginians of this superiority: The Numidian cavalry won the battle of Zama, and put an end to the war.

The Carthaginians had greater experience at sea, and were better skill'd in the

ⁱ Book vi.

^k The circumstance which gave the Romans an opportunity of taking a little breath in the second Punic war, was this, whole bodies of Numidian cavalry went over into Sicily and Italy, and there join'd them.

working of ships than the Romans : But this advantage seems to have been less in those ages than it would be in the present.

As the ancients had not the use of the sea-compas, they were confin'd almost to coasting ; and indeed they had nothing but gallies, which were small and flat-bottom'd; most roads were to them as so many harbours ; the knowledge of their pilots was very narrow and contracted, and their tackle extremely simple. Their art it self was so imperfect, that as much is now done with an hundred oars, as in those ages with a thousand.

Their larger vessels had a disadvantage in this, that being mov'd with difficulty by the crew of galley-slaves, it was impossible for them to make the necessary evolutions. Mark Antony experienc'd this, in the most fatal manner, at Actium ; for his ships were not able to move about, when attack'd on all sides by the lighter vessels of Augustus.

As the antients us'd nothing but gallions, the lighter vessels easily broke the oars of the greater ones, which were then but as so many unwieldy, immoveable machines, like modern ships when they have lost their masts.

Since the invention of the sea-compas, different methods have been employed ;
oars

DECLENSION of the ROMANS. 33

oars¹ have been laid aside ; the main ocean has been visited, great ships have been built ; the machine is become more complicated, and the practices have been multiplied.

The discovery of gun-powder has occasion'd a circumstance one would no ways have suspected, which is, that the strength of fleets depends more than ever upon art ; for in order to resist the fury of the cannon, and prevent the being expos'd to a superior fire, it was necessary to build great ships ; but the power of the art must be proportion'd to the bulk of the machine.

The small vessels of the antients us'd often to grapple suddenly with one another, on which occasion the soldiers engag'd on both sides : A whole land-army was ship-ped on board a fleet. In the sea-fight won by Regulus and his colleague, an hundred and thirty thousand Romans fought against an hundred and fifty thousand Carthaginians : At that time soldiers were look'd up-on as considerable, and artists the very reverse ; but in these ages, the soldiers are consider'd as little or nothing, and artists the very contrary^m.

¹ Hence we may judge of the imperfection of the antient navies, since we have laid aside a practice in which we had so much superiority over them.

* [See L'Esprit des Loix, l. xxi. c. 9.]

A strong proof of the difference is, the victory won by Duillius the consul: The Romans were totally ignorant of navigation, when a Carthaginian galley happening to be stranded on their coast, served them as a model for the building of others: In three months time their sailors were trained, their fleet was completely fitted out; the Romans put to sea, came up with the Carthaginians, and defeated them.

In this age, the whole life of a prince is scarce sufficient for the raising and equipping a navy capable to make head against a power already possessed of the empire of the sea: This perhaps may be the only thing which money cannot of itself effect; and tho' a great ^k monarch in our days succeeded immediately in an attempt of this kind, experience has proved to others ^l, that such an example is to be admired rather than imitated.

The second Punic war made so much noise in the world, that 'tis known to every one: When we survey attentively the croud of obstacles which started up before HANNIBAL, and reflect, that this extraordinary man surmounted them all, we view the most august spectacle that antiquity can possibly exhibit.

Rome was a miracle in constancy and resolution after the battles of Ticinus, of Tre-

^k Lewis XIV.

^l Spain and Muscovy.

bia,

bia, and Thrasymenus ; after the defeat at Cannæ, which was still more fatal to them, tho' they saw themselves abandon'd by most of the nations in Italy, yet they would not sue for peace ; and for this reason, the senate never once receded from their antient maxims : They conducted themselves towards Hannibal, in the same manner as they had before behav'd with regard to Pyrrhus, to whom they refus'd all terms of accommodation, till such time as he should leave Italy ; and Dionysius Halicarnasseus ^m informs us, that, when Coriolanus was treating with the Romans, the senate declar'd they would never infringe their antient customs ; that their people could not conclude a peace so long as the enemy should continue in their territories ; but that in case the Volscians would think fit to retire, they then should agree to any terms that were just and reasonable.

Rome was sav'd by the strength and vigour of its institution ; after the battle of Cannæ, their very women were not allow'd to shed tears ; the senate refus'd to ransom the prisoners, and sent the miserable remains of the army to carry on the war in Sicily, unrecompens'd, and depriv'd of every military honour, till such time as Hannibal was driven out of Italy.

^m Antiq. Rom. l. viii.



On the other side, Terentius Varro the consul had fled ignominiously as far as Venusia : This Man, whose extraction was very mean, had been rais'd to the consulship merely to mortify the nobles. However the senate would not enjoy the unhappy triumph : They saw how necessary it was for them to gain the confidence of the people on this occasion ; they therefore went out to meet Varro, and return'd him thanks for not despairing of the safety of the commonwealth.

'Tis commonly not the real loss sustained in a battle, (that of the slaughter of some thousand men) which proves fatal to a state, but the imaginary loss, the general damp, which deprives it even of that strength and vigour which fortune had left it.

Some things are asserted by all men, because they have been asserted once : 'Tis thought Hannibal committed an egregious error, in not laying siege to Rome after the battle of Cannæ : It must be confess'd, that the inhabitants of the former were at first seiz'd with a Panic ; but then the surprize and dread of a martial people, which always turns to bravery, is not like that of a despicable populace, who are sensible to nothing but their weakness : A proof Hannibal would not have succeeded, is, that the

the Romans were still powerful enough to send succours where any were wanted.

'Tis also said, that Hannibal was greatly overseen, in marching his army to Capua, where his soldiers enervated themselves ; but people who make these assertions should consider, that they don't go back to the true cause of it : Would not every place have prov'd a Capua to a body of men, who had enrich'd themselves with the spoils of so many victories ? Alexander, whose army consisted of his own subjects, made use, on the like occasion, of an expedient which Hannibal, whose army was compos'd wholly of mercenaries, could not employ ; and this was, the setting fire to the baggage of his soldiers, and burning all their wealth and his own.

The very conquests of Hannibal began to change the fortune of the war : He did not receive any succours from Carthage, either by the jealousy of one party ⁿ, or the too great confidence of the other : So long as he kept his whole army together, he always defeated the Romans ; but when he

ⁿ [How was it possible for Carthage to maintain her ground ? When Hannibal upon his being prætor, attempted to hinder the magistrates from plundering the republic, did they not complain of him to the Romans ? Wretches, that wanted to be citizens without a city, and to be beholden for their riches, to their very destroyers ! *L'Esprit des Loix*, l. iii. c. 3. See likewise l. x. c. 6.]

was oblig'd to put garrisons into cities, to defend his allies, to besiege strong-holds or prevent their being besieged, he then found himself too weak, and lost a great part of his army by peace-meal. Conquests are easily made, because we atchieve them with our whole force ; they are retain'd with difficulty, because we defend them with only a part of our forces.

C H A P T E R V.

*The State of Greece, of Macedonia, of Syria
and of Egypt, after the Depression of Car-
thage.*

V. 78 -
AS the Carthaginians lost every battle they fought, either in Spain, in Sicily, or in Sardinia ; Hannibal, whose enemies were fortifying themselves incessantly, whilst very inconsiderable reinforcements were sent him, was reduced to the necessity of engaging in a defensive war : This suggested to the Romans the design of making Africa the seat of war : Accordingly Scipio went into that part of the world, and so great was his success, that the Carthaginians were forced to recal from Italy Hannibal, who wept for grief at his surrendring to the Romans those very plains, in which he had so often triumph'd over them.

Whatever

Whatever is in the power of a great general and a great soldier to perform, all this Hannibal did to save his country : Having fruitlessly endeavour'd to bring Scipio to pacific terms, he fought a battle, in which fortune seemed to delight in confounding his ability, his experience, and good sense.

Carthage receiv'd the conditions of peace, not from an enemy, but from a sovereign ; the citizens of it oblig'd themselves to pay ten thousand talents in fifty years, to give hostages, to deliver up their ships and elephants, and not to engage in any war without the consent of the Romans ; and in order that this republic might always continue in a dejected state, the victors heightned the power of Masinissa, its irreconcileable enemy.

After the depression of Carthage, the Romans were scarce engag'd but in petty wars and obtained mighty victories; whereas before, they had obtain'd but petty victories and been engaged in mighty wars.

There were in those times two worlds, as it were, separate from each other ; in one, the Carthaginians and Romans fought, and the other was shaken by the feuds and divisions which had subsisted ever since the death of Alexander : In the latter, no regard was had ⁿ to the transactions of the

ⁿ 'Tis surprizing, as Josephus observes in his treatise against Appion, that neither Herodotus nor Thucy-
western

western world : For tho' Philip king of Macedon had concluded a treaty with Hannibal, yet very little resulted from it ; and this monarch, who gave the Carthaginians but very inconsiderable succours, just shew'd the Romans that he bore them a fruitless ill-will.

When two mighty people are seen to wage a long and obstinate war, 'tis often ill policy to imagine that 'tis safe for the rest of the world to continue as so many idle spectators ; for which soever of the two people triumphs over the other, engages immediately in new wars ; and a nation of soldiers marches and invades nations who are but so many citizens.

This was very manifest in those ages ; for scarce had the Romans subjected the Carthaginians, but they immediately invaded other nations, and appeared in all parts of the earth, carrying on an universal invasion.

There were at that time in the east but four powers capable of making head against the Romans ; Greece, the kingdoms of Macedonia, Syria, and Egypt : We must take a view of the condition, at that time, of the two first of those powers ; because the Romans began by subjecting them.

dides make the least mention of the Romans, tho' they had been engaged in such mighty wars.

There

There were at that time three considerable people in Greece, the Ætolians, the Achaians, and the Bœotians; these were so many associations form'd by free cities, which had their general assemblies and magistrates in common. The Ætolians were martial, bold, rash; greedy of gain, very lavish of their promises and oaths; in fine, a people who warr'd on land in the same manner as pirates do at sea. The Achaians were incommoded perpetually by troublesome neighbours or defenders. The Bœotians, who were the most heavy people of all Greece, but at the same time the wisest, liv'd generally in peace; guided entirely by a sensation of happiness and misery, they had not genius enough to be either rouzed or misguided by orators.

Lacedæmon had preserved its power, by which I mean that warlike spirit which the institutions of Lycurgus inspired. The Thessalians were, in some measure, enslav'd by the Macedonians. The Illyrian kings had already been very much depressed by the Romans. The Acarnanians and Athamanes had been cruelly infested by the troops of Macedon and Ætolia successively. The Athenians^o, weak in themselves and unsuppor-

^o [Justin l.vi. attributes the extinction of Athenian virtue to the death of Epaminondas. Having no further emulation, they spent their revenues in feasts, *frequentius canam quam castra visentes*. Then it was that the Ma-

ted by ^P allies, no longer astonished the world, except by the flatteries they lavish'd on kings ; and the orators no more ascend'd the Rostra where Demosthenes had harangued, unless to propose the basest and most scandalous decrees.

Besides, Greece was formidable from its situation, its strength, the multitude of its cities, the great number of its soldiers, its polity, manners and laws ; the Greeks delighted in war ; they knew the whole art of it ; and, had they united, would have been invincible.

They indeed had been terrified by the first Philip, by Alexander, and by Antipater, but not subdued ; and the kings of Macedon, who could not prevail with themselves to lay aside their pretensions and their hopes, made the most obstinate attempts to enslave them.

The greatest part of Macedonia was surrounded with inaccessible mountains ; the inhabitants of it were formed by nature for war, courageous, obedient, industrious and indefatigable ; and these qualities must necessarily have been owing to the climate, since the natives of it are, to this day, the best soldiers in the Turkish empire.

*cedonians emerged out of obscurity, L'Esprit des Loix,
I. viii. c. 6.]*

^P They were not engaged in any alliance with the other nations of Greece. Polyb. lib. viii.

Greece

Greece maintained itself by a kind of balance : The Lacedæmonians were generally in alliance with the Ætolians, and the Macedonians with the Achaians ; but the arrival of the Romans quite destroyed the æquilibrium.

As the kings of Macedonia were not able to maintain a large body of troops, the least loss was of consequence to them ; besides, 'twas difficult for these monarchs to aggrandize themselves ; because, as their ambitious views were not unknown, other nations kept a watchful eye over every step they took ; and the successes they obtained in the wars undertaken for the sake of their allies, was an evil which these very allies endeavoured immediately to remedy.

But the kings of Macedonia generally possess'd great talents ; their monarchy was not like those which proceed for ever in the same steps that were taken at the foundation of them ; instructed perpetually by dangers and experience, involved in all the disputes of Greece, it was necessary for them either to bribe the principal magistrates of cities, to raise a mist before the eyes of nations, or to divide or unite their interests ; in a word, they were obliged to expose, every moment, their persons to the greatest dangers.

Philip, who in the beginning of his reign had won the love and confidence of the Greeks,

44 *Of the GRANDEUR and*

Greeks by his moderation changed on a sudden ; he became ^q a cruel tyrant, at a time when he ought to have behaved with justice, both from policy and ambition : He saw, tho' at a distance, the Romans possess'd of numberless forces ; he had concluded the war to the advantage of his allies, and was reconciled to the Ætolians : 'Twas natural he should now endeavour to unite all the Greeks with himself, in order to prevent the Romans from settling in their country ; but so far from this, he exasperated them by petty usurpations ; and trifled away his time in examining affairs of little or no consequence, at a time when his very existence was endanger'd ; by the commission of three or four evil actions, he made himself odious and detestable to all Greece.

The Ætolians were most exasperated, and the Romans, snatching the opportunity of their resentment, or rather of their folly, made an alliance with them, entred Greece, and arm'd it against Philip. This prince was defeated at the battle of Cynocephalæ, and the victory was partly gain'd by the valour of the Ætolians : So much was he intimidated upon this, that he concluded a treaty, which was not so properly a peace, as the renouncing his own strength ; for

^q See Polyb. who relates the unjust and cruel actions by which Philip lost the favour of the people.

he evacuated his garrisons in all Greece, delivered up his ships, and bound himself under an obligation of paying a thousand talents in ten years.

Polybius compares, with his usual good sense, the disposition of the Roman armies with that of the Macedonians, which was observed by all the kings who succeeded Alexander: He points out the conveniences as well as inconveniences of the phalanx and of the legion: He prefers the disposition us'd by the Romans, in which he very probably was right, since all the battles fought at that time shew it to have been preferable.

The success which the Romans obtained over Philip, was the greatest step they ever took towards a general conquest: To make sure of Greece, they employed all methods possible to depress the Ætolians, by whose assistance they had been victorious: They ordained, moreover, that every city of Greece which had been subject to Philip, or any other sovereign prince, should from that time be governed by its own laws.

A circumstance which had contributed very much to the danger to which the Romans were exposed in the second Punic war, was, Hannibal's presently arming his soldiers after the Roman manner; but the Greeks did not change either their arms or their way of fighting; and could not prevail with themselves to lay aside customs, by the observance of which they had perform'd such mighty things.

*Tis

'Tis very evident, that these petty commonwealths must necessarily be dependent : The Greeks abandoned themselves to a stupid joy, and fondly imagined they were really free, because the Romans had declar'd them to be so.

The Ætolians, who had imagined they should bear sway in Greece, finding they had only brought themselves under subjection, were seized with the deepest grief ; and as they had always formed desperate resolutions, they invited, in order to correct one extravagance by another, ANTIOCHUS king of Syria into Greece, in the same manner as they had before invited the Romans.

The kings of Syria were the most powerful of all Alexander's successors, they being possess'd of almost all the dominions of Darius, Egypt excepted ; but by the concurrence of several circumstances, their power had been much weakned.

Seleucus, who founded the Syrian empire, had destroyed, towards the latter end of his life, the kingdom of Lysimachus. During the feuds and distractions, several provinces took up arms ; the kingdoms of Pergamus, of Cappadocia and of Bithynia started up ; but these petty, fearful states, always considered the depression of their former masters as the making of their own fortune.

As

As the kings of Syria always beheld, with a most invidious eye, the felicity of the kingdom of Egypt, they bent their whole thoughts to the conquest of that country ; by this means, neglecting the east, they were dispossess'd of several provinces there, and but indifferently obeyed in the rest.

In fine, the kings of Syria possess'd upper and lower Asia ; but experience has shewn, that in this case, when the capital city and the chief forces are in the lower provinces of Asia, there is no possibility of maintaining the upper ones ; and on the contrary, when the seat of the empire is in the upper provinces, the monarch weakens himself by maintaining the lower ones. Neither the Persian nor Syrian empires were ever so powerful as that of the Parthians, tho' they reigned over but part of the provinces which formed the dominions of those two powers. Had Cyrus not conquered the kingdom of Lydia ; had Seleucus continued in Babylon, and let the successors of Antigonus possess the maritime provinces, the Greeks would never have conquered the Persian empire, nor the Romans that of Seleucus. Nature has prescribed certain limits to states, purposely to mortify the ambition of mortals : When the Romans stepped beyond those limits, the greatest part of them

them were destroyed by the Parthians'; when the Parthians presumed to pass them, they were forced immediately to retire back; and in our days, such Turks as advanced beyond those boundaries, were obliged to return whence they came.

The kings of Syria and Egypt had, in their respective dominions, two kinds of subjects, victorious nations, and nations vanquished; the former, still puffed up with the idea of their origin, were ruled with very great difficulty: They were not fired with that spirit of independance which animates us to shake off the yoke, but with that impatience which makes us wish to change our sovereign.

But the chief weakness of the kingdom of Syria sprung from that of the court, where such monarchs presided as were successors to Darius, not to Alexander. Luxury, vanity, and effeminacy, which have prevailed thro' all ages in the Asiatic courts, triumphed more particularly in that of Syria: The evil infected the common people and the soldiers, and catched the very Romans themselves; since the war in which they engaged against Antiochus, is the true æra of their corruption.

¹ I have given the reason of this in the xvii. chapter, borrowed partly from the geographical disposition of the two empires.

Such was the condition of the kingdom of Syria, when Antiochus, who had performed such mighty things, declared war against the Romans ; but he did not conduct himself in it with the wisdom which is even employed in common affairs : Hannibal requested, either to have the war revived in Italy, and Philip bribed ; or else that he might be prevailed upon to stand neuter. Antiochus did not follow any part of this advice : He appeared in Greece with only a small part of his forces : And as tho' he were come merely to see the war, not to carry it on, he followed nothing but his pleasures, by which means he was defeated, and fled out of Asia, terrified rather than conquered.

PHILIP, who was dragged to this war by the Romans, as tho' a flood had swept him along, employed his whole power in their service, and became the instrument of their victories : The pleasure of taking vengeance of, and laying waste Ætolia ; the promise made him of lessening the tribute he paid, and of leaving him the possession of certain cities ; some personal jealousy of Antiochus ; in a word, a few inconsiderable motives swayed his resolutions ; and not daring so much as to think of shaking off the yoke, he only considered how he might best lighten it.

D

Antiochus

Antiochus formed so wrong a judgment of things, as to fancy that the Romans would not molest him in Asia ; however, they followed him thither ; he was again overcome, and, in his consternation, consented to the most infamous treaty that ever was concluded by so mighty a prince.

I cannot recollect any thing so magnanimous, as a resolution taken by a monarch in our days ¹, to bury himself under the ruins of the throne, rather than accept of terms unworthy of a king : So haughty was his soul, that he could not stoop lower than his misfortunes had thrown him ; and he was very sensible, that courage may, but infamy never can give fresh strength to the regal diadem.

We often meet with princes who have skill enough to fight a battle, but with very few that have the talents requisite for carrying on a war ; who are equally capable of making a proper use of fortune and of waiting for her ; and who join to a frame of mind, which raises suspicions before it executes, such a disposition as makes them fearless after they have once executed.

After the depression of Antiochus, only some inconsiderable powers remain'd, if we except Egypt, which, from the advantage of its situation, its fertility, its commerce, the great number of its inhabitants, its na-

¹ Lewis XIV.

val and land forces, might have been formidable ; but the cruelty of its kings, their cowardice, their avarice, their imbecillity, and their enormous sensualities, made them so odious to their subjects, that they supported themselves, for the most part, by the protection of the Romans.

'Twas a kind of fundamental law, with regard to the crown of Egypt, that the sisters should succeed with the brothers ; and in order to preserve unity in the government, the brother was married to the sister. Now, 'tis scarce possible to figure any thing more pernicious in politicks than such an order of succession ; for as all the little domestic feuds rose so high as to disorder the state, whichsoever of the two parties had the least discontent, immediately excited against the other the inhabitants of Alexandria, a numberless multitude, always prepared to join with the first of their kings who should rouze them ; so that there were for ever princes who actually reigned, and pretenders to the crown. And as the kingdoms of Cyrene and Cyprus were generally possess'd by other princes of that house, who laid their respective claims to the whole ; by that means the throne of these princes was ever tottering ; and being indifferently settled at home, they had no power abroad.

The forces of the kings of Egypt, like those of the Asiatic monarchs, were composed of auxiliary Greeks. Besides the spirit of liberty, of honour, and of glory, which animated the latter people, they were incessantly employed in bodily exercises of every kind. In all their chief cities games were instituted, wherein the victors were crowned in the presence of all Greece, which raised a general emulation: Now, in an age when combatants fought with arms, the success of which depended on their strength and dexterity, 'tis natural to suppose that men thus exercised, must have had a great advantage over a croud of Barbarians, who were enlisted at random, and dragged indiscriminately into the field, as was evident from the armies of Darius.

The Romans, in order to deprive the kings of such a body of soldiery, and to bereave them, but in an easy, silent manner, of their principal forces, observed two things: First, they established by insensible degrees as a maxim, with respect to all the cities of Greece, that they should not conclude any alliance, give any succour, or make war against any nation whatsoever without their consent: Secondly, in their treaties with ^v kings, they forbade them to

^v They had before observed this political conduct with regard to the Carthaginians, whom they oblig'd, by the

levy

levy any forces from among the allies of the Romans, by which means, those monarchs were reduced to employ their national troops only.

That the reader may be the better judge of how little effect trade had in gaining Rome a superiority over other nations, it may not be amiss to add here an entertaining discourse on that subject from this author De l'Esprit des Loix, l. xxi.

CHAPTER VI.

The principal Difference between the Commerce of the Ancients and the Moderns.

THE world from time to time takes such different turns as totally change the face of commerce. The trade of Europe is at present carried on principally from the north to the south ; and the difference of climates is the cause that the several nations have great occasion for the merchandises of each other. For example, the liquors of the south, which are carried to the north, form a commerce little known to the ancients. Thus the burthen of vessels, which was formerly computed by measures of corn, is at present determined by tons of liquor.

treaty concluded with them, to employ no longer auxiliary troops, as appears from a fragment of Dion.

The ancient commerce, as far as it is known to us, being carried on from one port in the Mediterranean to another, was almost wholly confined to the south. Now the people of the same climate, having nearly the same things of their own, have not the same need of trading amongst themselves as with those of a different climate. The commerce of Europe was therefore formerly less extended than at present.

Commerce sometimes destroyed by conquerors, sometimes cramped by monarchs, traverses the earth, flying from the place where it is oppressed, and taking up its rest where it is permitted to breath freely: It reigns at present where nothing was formerly to be seen but desarts, seas, and rocks; and, where it once reigned, now there are only desarts.

To see Colchis in its present situation, which is no more than a vast forest, where the people are every day decreasing, and only defend their liberty to sell themselves by piece-meal to the Turks and Persians; we could not imagine, that this country in the time of the Romans, had been full of cities, to which commerce summoned all the nations of the earth. We find no monument of these facts in the country itself; there are no traces of them, except in ^e Pliny and ^f Strabo.

^e Lib. vi.

^f Lib. ii.

The history of commerce is a history of the intercourse of people. Their numerous defeats, and the certain flux and reflux of desolations and devastations, form in it the most extraordinary events.

The immense treasures of Semiramis^a, which could not have been the acquisition of a day, give us reason to believe, that the Assyrians themselves had pillaged other rich nations, as other nations afterwards pillaged them.

The effect of commerce is riches; the consequence of riches, luxury; and that of luxury, the perfection of arts. The height to which arts were carried in the time of Semiramis^b is a sufficient indication, that a considerable commerce was then established.

There was a great commerce of luxury in the empires of Asia. The history of luxury would make a fine part of that of commerce. The luxury of the Persians was that of the Medes, as the luxury of the Medes was that of the Assyrians.

Great revolutions have happened in Asia. The north-east part of Persia, Hyrcania, Margiana, Bactria, &c. were formerly full of flourishing cities^c, which are now no more; and the north of this^d empire, that

^a Diodorus, lib. ii.

^b Ibid.

^c Pliny, lib. vi. cap. 16. & Strabo, lib. xi.

^d Strabo, lib. xi.

56 *Of the GRANDEUR and*

is, the isthmus which separates the Caspian and the Euxine seas, was full of cities and nations, which are now destroyed.

Eratosthenes ^e and Aristobulus learnt from Patroclus, that the merchandises of India passed by the Oxus into the sea of Pontus. Marcus Varro ^f tells us, that, at the time when Pompey commanded against Mithridates, they were informed, that they went in seven days from India to the country of the Bactrians, and to the river Icarus, which falls into the Oxus; that, by this means they were able to bring the merchandises of India across the Caspian sea, and to enter the mouth of the Cyrus; from whence it was only a five days passage to the Phasis, a river which discharges itself into the Euxine sea. There is no doubt but it was by the nations inhabiting these several countries, that the great empires of the Assyrians, Medes, and Persians, had a communication with the most distant parts of the east and west.

An entire stop is now put to this communication. All these countries have been laid waste by the ^g Tartars, and are still in-

^e Strabo. lib. xi.

^f In Pliny, lib. vi. cap. 17. See also Strabo, lib. xi. upon the passage by which the merchandises were conveyed from the Phasis to the Cyrus.

^g This is the reason why those who have described this country, since it was in the possession of the Tartars fested

DECLENSION of the ROMANS. 57

fested by that destructive nation. The Oxus no longer runs into the Caspian sea; the Tartars, for some private ^h reasons, have changed its course, and it now loses itself in the barren sands.

The Iaxartes, which was formerly a barrier between the polite and barbarous nations, has had its course turned in the same manner by the Tartars, and it no longer empties itself into the sea.

Seleucus Nicator formed ⁱ the project of joining the Euxine to the Caspian sea. This project, which would have greatly facilitated the commerce of those days, vanished at his ^k death. We are not certain it could have been executed in the isthmus which separates the two seas. This country is at present very little known; it is depopulated, and full of forests; however water is not wanting, for an infinite number of rivers roll into it from Mount Caucasus: But as this mountain forms the north of the

tars, have entirely mis-represented it. The chart of the Caspian sea, made by order of the late czar Peter I. has discovered the egregious errors of our modern charts, in relation to the figure of that sea, which is found to be conformable to the representations of the ancients. See Pliny, lib. vi. cap. 12.

^b See an account of this in Jenkinson's *Collection of Voyages to the North*, vol iv.

ⁱ Claudius Cæsar, in Plin. lib. vi. cap. xi.

^k He was slain by Ptolemy Ceraunus.

isthmus, and extends like two arms¹ towards the south, it would have been a grand obstacle to such an enterprise, especially in those times when they had not the art of making sluices.

It may be imagined, that Seleucus would have joined the two seas in the very place where Peter I. has since joined them; that is, in that neck of land where the Tanais approaches the Volga; but the north of the Caspian sea was not then discovered.

While the empires of Asia enjoyed a commerce of luxury, the Tyrians carried on a commerce of œconomy, which they extended through the world. Bochart has employed the first book of his Canaan, in enumerating the colonies which they sent into all the countries bordering upon the sea: They passed the pillars of Hercules, and made settlements^m on the coasts of the ocean.

The little knowledge the greatest part of the world had of those who were far distant from them, favoured the nations engaged in the œconomical commerce. They carried on their trade with as much obscurity as they pleased, having all the advantages which the most intelligent nations enjoy over the most ignorant.

See Sirabo, lib. xi.

^m They founded Tartessus, and made a settlement at Cadiz.

The

The Egyptians, a people separated by their religion and their manners from all communication with strangers, had at that time scarce any foreign trade. They enjoyed a fruitful soil, and great plenty. Their country was the Japan of those times; it possessed every thing within itself.

So little jealous were these people of commerce, that they left that of the Red-sea to all the petty nations which had any harbours upon it. Here they suffered the Idumæans, the Assyrians, and the Jews to have fleets. Solomon ⁿ employed in this navigation the Assyrians, who knew these seas.

Josephus ^o says, that this nation being entirely employed in agriculture, knew little of navigation: The Jews therefore traded only occasionally in the Red-sea. They took from the Idumæans Elath and Asiongeber, from whom they received this commerce; they lost these two cities, and with them lost this commerce.

It was not so with the Phœnicians; theirs was not a commerce of luxury; nor was their trade owing to conquest: Their frugality, their abilities, their industry, their perils, and the hardships they suffered, rendered them necessary to all the nations of the world.

ⁿ 1 Kings, ix. 2 Chron. viii.

^o Against Appion.

Before Alexander, the people bordering on the Red-sea traded only in this sea, and in that of Africa. Of this, the astonishment of the universe at the discovery of the Indian sea under that conqueror, is a sufficient proof. I have observed, that bullion was always carried to the Indies, and never any brought from thence; the Jewish fleets, which brought gold and silver by the way of the Red-sea, returned from Africa, and not from the Indies. I add, this navigation was made on the eastern coast of Africa; for the state of navigation at that time is a convincing proof, that they did not sail to a very distant shore.

I am not ignorant, that the fleets of Solomon and Jehosaphat returned only every three years; but I do not see that the time taken up in the voyage is any proof of the greatness of the distance.

Pliny and Strabo inform us, that the junks of India and the Red-sea were twenty days in performing a voyage, which a Grecian or Roman vessel would accomplish in ^p seven. In this proportion, a voyage of one year made by the fleets of Greece or Rome would take very near three, when performed by those of Solomon.

We find from history, that, before the discovery of the mariners compass, four attempts were made to sail round the coast

^p See Pliny, lib. vi. cap. 22. and Strabo, lib. xv.
of

of Africa. The Phœnicians sent by ¹ Necho, and Eudoxus ², flying from the wrath of Ptolemy Laturus, set out from the Red-sea, and succeeded. Satarpes ³ sent by Xerxes, and Hanno by the Carthaginians, set out from the pillars of Hercules, and failed of success.

The capital point in surrounding Africa was, to discover and double the cape of Good-hope. Those who set out from the Red-sea found this cape nearer by half, than it would have been in setting out from the Mediterranean. The shore from the Red-sea is not so shallow, as that from the cape ⁴ to Hercules's pillars. The discovery of the cape by Hercules's pillars was owing to the invention of the compass, which permitted them to leave the coast of Africa, and to launch out ⁵ into the great ocean, in

¹ He was desirous of conquering it. Herodotus, lib. iv.

² Pliny, lib. ii. cap. 67. Pomponius Mela, lib. iii. cap. 9.

³ Herodotus in Melpomene.

⁴ Add to this what I shall say hereafter, on the navigation of Hanno.

⁵ In the months of October, November, December, and January, the wind in the Atlantic ocean is found to blow north east; our ships therefore either cross the line, and to avoid the wind which is there generally at east, they direct their course to the south; or else they enter into the torrid zone, in those places where the wind is at west.

order to sail towards the island of St. Helena, or towards the coast of Brasil. It was therefore very possible for them to sail from the Red-sea into the Mediterranean, but not to set out from the Mediterranean to return by the Red-sea.

Thus, without making this grand circuit, after which they could hardly ever hope to return, it was most natural to trade to the east of Africa by the Red-sea, and to the western coast by Hercules's pillars.

The first Greeks were all pirates. Minos, who enjoyed the empire of the sea, was only more successful, perhaps, than others in piracy ; for his maritime dominion extended no further than round his own isle. But when the Greeks became a great people, the Athenians obtained the real dominion of the sea ; because this trading and victorious nation gave laws to the most potent monarch ^a of that time ; and humbled the maritime powers of Syria, of the isle of Cyprus, and Phœnicia.

But this Athenian lordship of the seas deserves to be more particularly mentioned.
“ *Athens, says Xenophon ^b, rules the sea ; but as the country of Attica is joined to the continent, it is ravaged by enemies, while the Athenians are engaged in distant expeditions. Their leaders suffer their lands*

^a The king of Persia.

^b On the Athenian Republic.

" to be destroyed; and secure their wealth,
" by sending it to some island. The populace,
" who are not possessed of lands, have no
" uneasiness. But if the Athenians inhabited
" an island, and, besides this, enjoyed the
" empire of the sea, they would, as long as
" they were possessed of these advantages,
" be able to annoy others, and at the same
" time be out of all danger of being annoyed."

One would imagine Xenophon was speaking of England.

The Athenians, a people whose heads were filled with the most glorious projects; the Athenians, who excited jealousy, instead of extending their influence, who were more attentive to enlarge their maritime empire than to enjoy it, whose political government was such that the common people distributed the public revenues amongst themselves, while the rich were in a state of oppression; the Athenians, I say, did not carry on so extensive a commerce as might be expected from the produce of their mines, from the multitude of their slaves, from the number of their seamen, from their influence over the cities of Greece, and, above all, from the excellent institutions of Solon. Their trade was almost wholly confined to Greece, and to the Euxine sea; from whence they drew their subsistence.

Corinth separated two seas, it was the key which opened and shut the Peloponnesus

nesus and all Greece ; it was a city, of the greatest importance, at a time when the people of Greece were a world, and the cities of Greece, nations. Its trade was very extensive, having a port to receive the merchandises of Asia ; and another, those of Italy : For the great difficulties which attended the doubling cape Malea, where the meeting of opposite winds occasions shipwrecks, induced every one to go to Corinth, and they could even convey their vessels over land from one sea to the other. Never was there a city, in which the works of art were carried to so high a degree of perfection. But here religion finished the corruption, which their opulence began. They erected a temple to Venus, in which more than a thousand courtisans were consecrated to that deity ; from this seminary came the greatest part of those celebrated beauties, whose history Athenæus has presumed to commit to writing.

Four great events happened in the reign of Alexander, which entirely changed the face of commerce ; the taking of Tyre, the conquest of Egypt, that likewise of the Indies, and the discovery of the sea which lies south of those countries. The Greeks of Egypt found themselves in a situation to carry on a prodigious commerce ; they were masters of the ports of the Red-sea ; Tyre,

^c See Strabo, lib. viii.

the rival of all the trading nations, was no more ; they were not constrained by the ancient ^a superstitions of the country ; Egypt was become the centre of the universe.

The empire of Persia extended to the Indus ^c. Darius, long before Alexander, had sent ^d some vessels which sailed down this river, and passed even into the Red-sea. How then were the Greeks the first who traded to the Indies by the South ? Had not the Persians done this before ? Did they make no advantage of seas which were so near them ; of the very seas that washed their coasts ? Alexander, it is true, conquered the Indies ; but was it necessary for him to conquer a country, in order to trade with it ? This is what I shall now examine.

Ariana ^e, which extended from the Persian gulf as far as the Indus, and from the South-sea to the mountains of Paropamisus, depending indeed in some measure on the empire of Persia : But in the southern part it was barren, scorched, rude, and uncultivated. Tradition ^f relates, that the armies of Semiramis and Cyrus perished in these deserts ; and Alexander, who caused his fleet to follow him, could not avoid losing

^a Which inspired an aversion for strangers.

^c Strabo, lib. xv.

^f Herodotus in Melpomene.

^g Strabo. lib. xv.

^b Strabo, lib. ibid.

in this place a great part of his army. The Persians left the whole coast to the Ichthyophagiⁱ, the Oritæ, and other barbarous nations. Besides, the Persians were no^k great sailors, and their very religion debarred them from all notions of maritime commerce. The voyage undertaken by Darius's direction upon the Indus and the Indian sea, was rather the caprice of a prince ambitious of shewing his power, than any regular project of a monarch intent upon exercising it. It was attended with no consequence, either to the advantage of commerce, or navigation. They emerged from their ignorance, only to plunge into it again.

Besides, it was a received opinion^l before the expedition of Alexander, that the southern parts of India were uninhabitable^m. This proceeded from a tradition that Semiramis had brought back from thence only twenty men, and Cyrus but seven.

ⁱ Pliny, lib. vi. cap. 23. Strabo, lib. xv.

^k They sailed not upon the rivers, lest they should defile the elements. Hyde's *Religion of the Persians*. Even to this day they have no maritime commerce. Those who take to the sea, are treated by them as atheists.

^l Strabo, lib. xv.

^m Herodotus (in Melpomene) says, that Darius conquered the Indies; he must be understood to mean only Ariana; and even this was only an ideal conquest.

ⁿ Ibid.

Alexander entered by the north. His design was to march towards the east: But having found a part to the south full of great nations, cities, and rivers; he attempted the conquest of it, and effected it.

He then formed the design of uniting the Indies to the western nations by a maritime commerce, as he had already united them by the colonies he had established by land.

He caused a fleet to be built on the Hydaspes, fell down that river, entered the Indus, and sailed even to its mouth. The fleet followed the coast from the Indus along the banks of the country of the Oritæ, and and the Ichthyophagi, of Carmania and Persia. He built cities, and forbade the Ichthyophagi ° from living on fish, being determined to have the borders of this sea inhabited by civilized nations. Onesecritus and Nearchus kept ♢ a journal of this voyage, which took up ten months. They arrived at Susa, where they found Alexander, who gave an entertainment to his whole army. He had left the fleet at Patala ♦, to go thither by land.

This conqueror had founded Alexandria, with a view of securing his conquests of

• Pliny, book vi. cap. 20.

¶ Ibid.

♦ A city in the island of Patalena, at the mouth of the Indus.

Egypt ; this was a key to open it in the very place where the kings his predecessors had a key to shut it ; and he had not the least thought of a commerce, which the discovery of the Indian sea could alone suggest to him.

The kings of Syria left the commerce of the south to those of Egypt, and attached themselves only to the northern trade, which was carried on by means of the Oxus and the Caspian sea. At that time they imagined this sea was a part of the northern ocean. Seleucus and Antiochus applied themselves to make discoveries in it, with a particular attention ; and with this view they scoured it with their fleets^r. That part which Seleucus surveyed, was called the Seleucidian sea ; that which Antiochus discovered, received the name of the sea of Antiochus. Attentive to the projects they might have of attacking from thence the back of Europe by Gaul and Germany, they neglected the seas on the south ; whether it was that the Ptolemies, by means of their

^r Alexandria was founded on a flat shore, called Racotis, where the former kings had kept a garrison to prevent all strangers, and more particularly the Greeks, from entering the country. Pliny, lib. v. cap. 10. Strabo, lib. xvii.

^s Pliny, lib. vi. cap. 12. and Strabo, lib. xi. pag. 507.

^t Pliny, lib. ii. cap. 67.

fleets on the Red-sea, were already become the masters of it ; or that they had discovered such an invincible aversion in the Persians to maritime affairs ; or, in fine, that the general submission of all the people in the south left no room for them to flatter themselves with the hopes of further conquests.

I must own, the obstinacy of the ancients appears to me unaccountable in believing that the Caspian sea was a part of the ocean. The expeditions of Alexander, of the kings of Syria, of the Parthians, and the Romans, could not make them change their sentiments ; and yet they described the Caspian sea with a wonderful exactness : But we seldom quit our errors till we are forced to it. At first they knew only the south of this sea, and took it for the ocean ; in proportion as they advanced along the banks of the northern coast, instead of imagining it a great lake, they still believed it to be the ocean, which here made a sort of bay ; when they had almost finished its circuit, and had quite surveyed the northern coast, though their eyes were then opened, yet they shut them once more ; and took the mouth of the Volga for a strait, or a prolongation of the ocean.

The land army of Alexander had been only on the east as far as the Hypanis, which is the last of those rivers that fall into the Indus : Thus the first trade which the Greeks

Greeks

Greeks carried on to the Indies was confined to a very small part of the country. Seleucus Nicator penetrated as far as the Ganges^a, and by that means discovered the sea into which this river falls, that is to say, the bay of Bengal. The moderns discover countries by voyages at sea ; the ancients discovered seas by conquests at land.

Strabo^b, notwithstanding the testimony of Apollodorus, seems to doubt whether the Grecian^c kings of Bactriana proceeded further than Seleucus and Alexander. I am apt to think they went no further to the east, and that they did not pass the Ganges : But they went further towards the south : They discovered^d Siger, and the ports in Guzarat and Malabar, which gave rise to the navigation I am going to mention.

Pliny^e informs us, that in sailing to the Indies they took successively three different courses. At first, they sailed from cape Syagros to the island of Patalene, which is at the mouth of the Indus. This we find was the course that Alexander's fleet steered to the Indies. They found afterwards^f a short-

^a Pliny, lib. vi. cap. 17.

^b Lib. xv.

^c Apollonius Adramyttenus in Strabo, lib. xi.

^d The Macedonians of Bactriana, India, and Ariana, having separated themselves from Syria, formed a great state.

^e Lib. vi. cap. 23.

^f Pliny, lib. vi. cap. 23.

er and more certain passage, by sailing from the same cape to Siger : This can be no other than the kingdom of Siger, mentioned by Strabo ⁵, and discovered by the Gre- cian kings of Bactriana. Pliny, by saying that this way was shorter than the other, can mean only that the voyage was made in less time : For as the Siger was discovered by the kings of Bactriana, it must have been fur- ther than the Indus : By this passage they must therefore have avoided the winding of certain coasts, and taken advantage of par- ticular winds. The merchants at last took a third way ; they sailed to Cane, or Oce- lis, ports situated at the entrance of the Red- sea ; from whence, by a west wind, they arrived at Muziris, the first staple town of the Indies, and from thence to the other ports.

Here we see, that instead of sailing to the mouth of the Red-sea as far as Syagros by coasting Arabia-Felix to the north-east, they steered directly from west to east, from one side to the other, by means of the trade- winds, whose regular course they discovered by sailing in these latitudes. The ancients never lost sight of the coasts, but when they took advantage of these winds, which were to them a kind of compass.

⁵ Lib. xi. Sigertidis regnum.

Pliny ^b says, that they set sail for the Indies in the middle of summer, and returned towards the end of December, or in the beginning of January. This is intirely conformable to our naval journals. In that part of the Indian sea which is between the peninsula of Africa, and that on the other side the Ganges, there are two monsoons; the first, during which the winds blow from west to east, begins in the month of August or September; and the second, during which the wind is in the east, begins in January. Thus we set sail from Africa for Malabar, at the season of the year that Ptolemy's fleet used to set out from thence; and we return too at the same time as they.

Alexander's fleet was seven months in sailing from Patala to Susa. It set sail in the month of July, that is, at a season when no ship dare now to put to sea to return from the Indies. Between these two monsoons there is an interval of time, during which the winds vary; when a north-wind, meeting with the common winds, raises, especially near the coasts, terrible tempests. These continue during the months of June, July, and August. Alexander's fleet, therefore, setting sail from Patala in the month of July, must have been exposed to many storms, and the voyage must have

^b Lib. vi. cap. 23.

been long, because they sailed against the the trade-wind.

Pliny says, that they set out for the Indies at the end of summer ; thus they spent the time, which ought to have been employed in taking advantage of the trade-wind, in working a passage from Alexandria to the Red-sea.

Observe here, I pray, how navigation has by little and little arrived to perfection. Darius's fleet was two years and a half ¹ in falling down the Indus, and going to the Red-sea. Afterwards the fleet of Alexander ², sailing through the Indus, arrived at Susa in ten months, having spent three months on the Indus, and seven on the Indian sea : At last, the passage from the coast of Malabar to the Red-sea was made in forty days ³.

Strabo ⁴, who accounts for their ignorance of the countries between the Hypanis and the Ganges, says, that there were very few of those who sailed from Egypt to the Indies, that ever proceeded so far as the Ganges. Their fleets, in fact, never went thither : They sailed with the western trade-winds from the mouth of the Red-sea to the coast of Malabar. They cast anchor in the

¹ Herodotus in Melpomene.

² Pliny, lib. vi. cap. 23.

³ Ibid.

⁴ Lib. xv.

ports along that coast, and never attempted to get round the peninsula on this side the Ganges by Cape Comorin and the coast of Coromandel. The plan of navigation laid down by the kings of Egypt and the Romans was, to set out and return the same year ⁿ.

Thus it is demonstrable, that the Greeks and Romans carried on a much less extensive commerce to the Indies than we do; we, who know immense countries, which to them were entirely unknown; who traffic with all the Indian nations; who even manage their trade, and in our bottoms carry on their commerce.

But this commerce of the ancients was carried on with far greater facility than ours. And if the moderns were to trade only to the coast of Guzarat and Malabar, and, without seeking for the southern isles, were satisfied with what these islanders brought them, they would certainly prefer the way of Egypt to that of the cape of Good-hope. ^o Strabo informs us, that they traded thus with the people of Taprobane.

Ptolemy the ^p geographer extends the eastern part of known Africa to cape Prasum, and Arrian ^q bounds it by cape Raptum.

ⁿ Pliny, lib. vi. cap. 23.

^o Lib. xv.

^p Lib. iv. cap. 7. & lib. viii.

^q See the Periple of the Erythrean sea.

Our best maps place cape Prasum at Mo-sambique, in fourteen degrees and a half south latitude, and cape Raptum, at about ten degrees of the same latitude. But as the country extending from the kingdom of Ajan (a kingdom which indeed produces no merchandise) becomes richer in proportion as it approaches to the south, as far as the country of Sofala, where lies the source of riches ; it appears at first view astonishing, that they should have thus retrograded towards the north, instead of advancing to the south.

In proportion as their knowledge increased, navigation and trade extended themselves on the coast of India and deserted that of Africa. A rich and easy commerce made them neglect one less lucrative, and more full of difficulties. The eastern coast of Africa was less known than in the time of Solomon ; and though Ptolemy speaks of cape Prasum, it was rather a place which had been formerly known, than known at that time. Arrian ¹ bounds the known country at cape Raptum, because at that time they went no further. And though ¹ Marcian of Heraclea extends it to cape Prasum, his authority is of no weight : For he himself

¹ Ptolemy and Arrian were nearly contemporaries.

¹ His work is to be found in a collection of the small pieces of the Grecian geographers, printed at Oxford in 1698. Vol. I. pag. 10.

confesses¹, that he copies from Artemidorus, and Artemidorus from Ptolemy.

Carthage increased her power by her riches, and afterwards her riches by her power. Being mistress of the coasts of Africa, which are washed by the Mediterranean, she extended herself along the ocean. Hanno, by order of the senate of Carthage, distributed thirty thousand Carthaginians from Hercules's Pillars as far as Cerne. This place, he says, is as far from Hercules's Pillars, as the latter from Carthage. This situation is extremely remarkable. It lets us see, that Hanno limited his settlements to the 25th degree of north latitude, that is, to two or three degrees south of the Canaries.

Hanno being at Cerne undertook another voyage, with a view of making further discoveries towards the south. He took but little notice of the continent. He followed the coast for twenty-six days, when he was obliged to return for want of provisions. The Carthaginians, it seems, made no use of this second enterprise. Scylax² says, that the sea is not³ navigable beyond Cerne, because it is shallow, full of mud and seaweeds: And, in fact, there are many of

¹ Ibid. pag. 1, 2.

² See his Periplus, under the article of Carthage.

³ See Herodotus in Melpomene, on the obstacles which Sataspe encountered.

these in those ^b latitudes. The Carthaginian merchants mentioned by Scylax might find obstacles, which Hanno, who had sixty vessels of fifty oars each, had surmounted. Difficulties are at most but relative ; besides, we ought not to confound an enterprise, in which bravery and resolution must be exerted, with things that require no extraordinary conduct.

The relation of Hanno's voyage is a fine fragment of antiquity. It was written by the very man that performed it. His recital is not mingled with ostentation. Great commanders write their actions with simplicity ; because they receive more glory from facts, than from words. The style is agreeable to the subject : He deals not in the marvellous. All he says of the climate, of the soil, the behaviour, the manners of the inhabitants, correspond with what is every day seen on this coast of Africa ; one would imagine it the journal of a modern sailor.

He observed from his fleet, that in the day-time there was a prodigious silence on the continent, that in the night he heard the sound of various musical instruments,

^b See the charts and narrations in the first volume of *Voyages that contributed to the establishment of an East-India company*, part I. pag. 201. This weed covers the surface of the sea in such a manner that it can scarcely be perceived, and vessels can only pass through it with a stiff gale.

and that fires might then be every-where seen, some larger than others. Our relations are conformable to this ; it has been discovered, that in the day the savages retire into the forests to avoid the heat of the sun, that they light up great fires in the night to disperse the beasts of prey, and that they are passionately fond of music and dancing.

The same writer describes a volcano with all the phænomena of Vesuvius ; and relates, that he took two hairy women, who chose to die rather than follow the Carthaginians, and whose skins he carried to Carthage. This has been found not void of probability.

This narration is so much the more valuable as it is a monument of Punic antiquity ; and from hence alone it has been regarded as fabulous. For the Romans retained their hatred to the Carthaginians, even after they had destroyed them. But it was victory alone that decided whether we ought to say *the Punic, or the Roman faith.*

The moderns^c have imbibed these prejudices. What is become, say they, of the cities described by Hanno, of which even in Pliny's time there remained no vestiges ? Wonderful would it have been indeed had they continued. Was it a Corinth or Athens that Hanno built on these coasts ?

^c Mr. Dodwell. See his *Dissertation on the Periplus of Hanno.*

He left Carthaginian families in such places as were most commodious for trade, and secured them as well as his hurry could permit against savages and wild beasts. The calamities of the Carthaginians put a period to the navigation of Africa, these families must necessarily then either perish or become savages. Besides, were the ruins of these cities even still in being, who is it that would venture into the woods and marshes to make the discovery? We find however, in Scylax and Polybius, that the Carthaginians had considerable settlements on these coasts. These are the vestiges of the cities of Hanno; there are no other, for the same reason that there are no other of Carthage itself.

The Carthaginians were in the high road to wealth; and had they gone so far as four degrees of north latitude, and fifteen of longitude, they would have discovered the gold coast. They would then have had a trade of much greater importance than that which is carried on at present on that coast, at a time when America seems to have degraded the riches of all other countries. They would there have found treasures, of which they could never have been deprived by the Romans.

Very surprising things have been said of the riches of Spain. If we may believe

80 *Of the GRANDEUR and*

Aristotle^a, the Phœnicians who arrived at Tartessus, found so much silver there, that their ships could not hold it all, and they made of this metal their meanest utensils. The Carthaginians, according to Diodorus^b, found so much gold and silver in the Pyrenean mountains, that they adorned the anchors of their ships with it. But no foundation can be built on such popular reports. Let us therefore examine into the facts themselves.

We find in a fragment of Polybius cited by Strabo^c, that the silver mines at the source of the river Bætis, in which forty thousand men were employed, produced to the Romans twenty-five thousand drachmas a day, that is, about five millions of livres a year*, at fifty livres to the mark. The mountains that contained these mine were called the^d *Silver Mountains*: Which shews they were the Potosi of those times. At present the mines of Hanover do not employ a fourth part of the workmen, and yet they yield more. But as the Romans had not many copper-mines, and but few of silver; and as the Greeks knew none but the Attic mines, which were of little value,

^a Of wonderful things.

^b Lib. vi.

^c Lib. iii.

[* Or 304,166 l. 13 s. 4 d. English, at 8 d. per drachma.]

^d *Mons Argentarius.*

they

they might well be astonished at their abundance.

In the war that broke out for the succession of Spain, a man called the marquis of Rhodes, of whom it was said, that he was ruined in golden mines and enriched by hospitals^b, proposed to the court of France to open the Pyrenean mines. He alledged the example of the Tyrians, the Carthaginians, and the Romans. He was permitted to search, but sought in vain; he still alledged his examples, and found nothing.

The Carthaginians being masters of the gold and silver trade, were willing to be so of the lead and pewter. These metals were carried by land from the ports of Gaul upon the ocean to those of the Mediterranean. The Carthaginians were desirous of receiving them at first hand; they sent Himilco^c to make^k settlements in the isles called Caphiterides, which are imagined to be those of Scilly.

These voyages from Bætica into England have made some persons imagine, that

^b He had some share in their management.

^c It appears from Pliny, that this Himilco was sent at the same time with Hanno; and as in the time of Agathocles there were a Hanno and an Himilco, both chiefs of the Carthaginians, Mr. Dodwell conjectures that these were the same; more especially, as the republic was then in its flourishing state. See his *Dissertation on the Periplus of Hanno*.

^k See Festus Avienus.

the Carthaginians knew the compass : But it is certain, they followed the coasts. There needs no other proof than Hamilco's being four months in sailing from the mouth of the Baetis to England : Besides, the famous piece of history of the Carthaginian ¹ pilot, who, being followed by a Roman vessel, ran a ground that he might not ^m shew her the way to England, plainly intimates that these vessels were very near the shore, when they fell in with each other.

The ancients might have performed voyages, which would make one imagine they had the compass, though they had not. If a pilot was far from land, and during his voyage had such serene weather, that in the night he could always see a polar star, and in the day the rising and setting of the sun, it is certain he might regulate his course as well as we do now by the compass : But this must be a fortuitous case, and not a regular method of navigation.

We see in the treaty which put an end to the first Punic war, that Carthage was principally attentive to preserve the empire of the sea, and Rome that of the land. Hannibal ⁿ, in his negotiation with the Romans, declared that they would not suffer them even to

¹ Strabo, lib. iii. towards the end.

^m He was rewarded by the senate of Carthage.

ⁿ Freinsheimius's Supplement to Livy, 2d Decad. lib. vi.

wash their hands in the sea of Sicily ; they were not permitted to sail beyond the *promontorium pulchrum* ; they were forbid to trade in Sicily ^o, Sardinia, and Africa, except at Carthage : An exception that lets us see there was no design to favour them in their trade with that city.

In early times there had been very great wars between Carthage and Marseilles ^p on the subject of fishing. After the peace they entered jointly into the œconomical commerce. Marseilles at length grew jealous, especially as being equal to her rival in industry, she was become inferior to her in power. This is the motive of her great fidelity to the Romans. The war between the latter and the Carthaginians in Spain was a source of riches to Marseilles, which was now become their magazine. The ruin of Carthage and Corinth still increased the glory of Marseilles, and had it not been for the civil wars, in which this republic ought on no account to have engaged, she would have been happy under the protection of the Romans, who had not the least jealousy of her commerce.

The Romans were never distinguished by a jealousy for trade. They attacked Car-

^o In the parts subject to the Carthaginians.

^p *Carthaginensium quoque exercitu, cum bellum cap-
tis pescatorum navibus ortum esset, saepe fuderunt, pa-
cemque viatis dederunt.* Justin, lib. xlvi. cap. 5.

thage as a rival, not as a trading nation. They favoured trading cities that were not subject to them. Thus they increased the power of Marseilles by the cession of a large territory. They feared every thing from barbarians ; but had not the least apprehension from a trading people. Their genius, their glory, their military education, and the very form of their government, estranged them from commerce.

In the city they were employed only about war, elections, factions, and law-suits ; in the country, about agriculture ; and, as for the provinces, a severe and tyrannical government, which there prevailed, was incompatible with commerce.

But their political constitution was not more opposite to trade, than their law of nations. “ *The people, says Pomponius*
 “ *the civilian, with whom we have neither*
 “ *friendship, nor hospitality, nor alliance, are*
 “ *not our enemies ; however, if any thing*
 “ *belonging to us falls into their hands, they*
 “ *are the proprietors of it : Freemen become*
 “ *their slaves, and they are upon the same*
 “ *terms with respect to us.”*

Their civil law was not less oppressive. The law of Constantine, after having stigmatised as bastards the children of persons of a mean rank, that had been married to those of a superior station, confounds women who

⁹ Leg. v. ff. de Cap. ivis.

keep a ¹ shop for vending merchandizes, with slaves, with women who keep taverns, with players, with the daughters of those who keep public stews, or who had been condemned to fight in the amphitheatre: This had its original in the ancient institutions of the Romans.

I am not ignorant that men prepossessed with these two ideas, that commerce is of the greatest service to a state, and that the Romans had the best policed government in the world, have believed that they greatly honoured and encouraged commerce; but the truth is, they seldom troubled their heads about it.

CHAPTER VII.

*The Conduct which the ROMANS observed, in
order to subdue all Nations.*

DURING the course of so mighty a prosperity, in which 'tis usual for mankind to forget themselves, the senate continued to act with the same depth of judgment; and whilst their armies were spreading an universal terror, they would not suffer those to rise who were once depressed.

¹ *Quæ mercimoniis publicè præfuit.* Leg. 5. cod. natural. liberia.

A tribunal arose which judged all nations : At the close of every war they determined the rewards or punishments which every one had merited : They took away from the vanquished people, part of their lands, and gave them to their allies, in which they did two things ; they engaged, in the interests of Rome, princes from whom they had little to fear, and much to hope ; and they weakened others from whom they had nothing to hope, and every thing to fear.

In warring with an enemy they made use of their allies, but immediately extirpated the destroyers. Philip was overcome by the assistance of the Ætolians, who were destroyed presently after, for having joined themselves to Antiochus. This king was overcome by the assistance of the Rhodians ; but after the most conspicuous rewards had been bestowed upon them, they were depressed for ever, upon pretence that they had demanded to have a peace concluded with Perseus.

When the Romans were opposed by several enemies at the same time, they granted a truce to the weakest, who thought themselves happy in obtaining it ; considering it as a great advantage, that their ruin had been suspended.

When they were engaged in a mighty war, the senate winked at wrongs of every kind,

kind, and silently waited the season proper for chastisement: If at any time a people sent them the offenders, they refused to punish them, chusing rather to consider the whole nation as guilty, and reserve to themselves a useful vengeance.

As they made their enemies suffer inexpressible evils, very few leagues were formed against them; for he who was at the greatest distance from the danger, did not care to come near it.

For this reason war was seldom denounced against them, but themselves always made it at a season, in the manner, and with a people, as best suited their interest; and among the great number of nations they invaded, there were very few but would have submitted to injuries of every kind, provided they could but be suffered to live in peace.

As 'twas usual for them to deliver themselves always in a magisterial way, such ambassadors as they sent to nations who had not yet felt the weight of their power, were sure to meet with ill treatment, which furnished them with a sure ^a pretence to engage in a new war.

As they never concluded a peace with sincerity and integrity, and intended a general invasion, their treaties were properly

^a See an example of this, in their war with the Dalmatians. See Polybius.

only so many suspensions from war ; they inserted such conditions in them, as always paved the way to the ruin of those states which accepted them : They used to send the garrisons out of the strong holds ; they regulated the number of the land forces, or had the horses and elephants delivered up to them ; and, in case this people were powerful at sea, they obliged them to burn their ships, and sometimes to remove higher up in the country.

After having destroyed the armies of a prince, they drained his treasury, by imposing a heavy tribute, or taxing him immoderately, under colour of making him defray the expence of the war : A new species of tyranny, which obliged him to oppress his subjects, and thereby lose their affection.

Whenever they granted a peace to some prince, they used to take one of his brothers or children by way of hostage, which gave them an opportunity of raising, at pleasure, commotions in his kingdom : When they had the next heir among them, 'twas their custom to intimidate the possessor : Had they only a prince of a remote degree, they made use of him to foment the insurrections of the populace.

Whenever any prince or people withdrew their allegiance from their sovereign, they immediately

mediately indulged them the title of ^a ally to the Romans ; by which means they became sacred and inviolable ; so that there was no monarch, how formidable soever, who could rely one moment upon his subjects, or even upon his own family.

Altho' the title of their ally was a kind of servitude, ^b yet was it very much sought after ; for those who enjoyed it were sure to receive no injuries but from them, and had reason to flatter themselves such would be less grievous. Hence nations and kings were ready to undertake any kind of services, and submitted to the meanest and most abject acts, merely for the sake of obtaining it.

They had various kinds of allies ; some were united to them by privileges and a participation in their grandeur, as the Latins and the Hernici ; others by their very settlements, as their colonies ; some by good offices, as Mafinissa, Eumenes, and Attalus, who were obliged to them for their kingdoms or their exaltation ; others by free and unconstrained treaties, and these, by the long continuation of the alliance, became subjects, as the kings of Egypt, Bi-

^a See particularly their treaty with the Jews in the 1st book of the Maccabees, ch. viii.

^b Ariarathes offered a sacrifice to the gods, says Polybius, by way of thanks for having obtained their alliance.

thynia,

thynia, Cappadocia, and most of the Grecian cities; in fine, many by forced and involuntary treaties, and by the law of their subjection, as Philip and Antiochus; for every peace the Romans granted an enemy, included also an alliance with him; or, in other words, they made every nation subdued by them contribute to the depression of others.

When they permitted any cities the enjoyment of their liberties, they immediately raised two ^d factions in them, one of which defended the laws and liberties of the country, whilst the other asserted, that the will of the Romans was the only law; and as the latter faction was always the most powerful, 'tis plain such a liberty could be but a mere name.

They sometimes possessed themselves of a country upon pretence of being heirs to it: They entered Asia, Bithynia, and Libya by the last wills of Attalus, of Nicomedes ^e, and of Appion; and Egypt was enslaved by that of the king of Cyrene.

To keep great princes for ever in a weak condition, they would not suffer them to conclude an alliance with those nations to whom they had granted theirs ^f; and as they did not refuse it to any people who

^d See Polybius on the cities of Greece.

^e The son of Philopator.

^f This was Antiochus's case.

bordered upon a powerful prince, this condition inserted in a treaty of peace, deprived him of all his allies.

Besides, when they had overcome any considerable prince, one of the articles of the treaty was, that he should not make war, upon account of any feuds of his own, with the allies of the Romans (that is to say, generally with all his neighbours;) but should submit them to arbitration, which deprived him of a military power for time to come.

And in order to keep the sole possession of it in their own hands, they bereaved their very allies of this force; the instant these had the least contest, they sent ambassadors, who obliged them to conclude a peace: We need but consider the manner in which they terminated the wars of Attalus and Prusias.

When any prince had gained such a conquest as often had exhausted him, immediately a Roman ambassador came and wrested it out of his hands: Among a multitude of examples, we may remember how they, with a single word, drove Antiochus out of Egypt.

Fully sensible how well the European nations were turned for war, they established as a law, that no⁸ Asiatic Monarch should

⁸ The order sent to Antiochus, even before the war, for him not to cross into Europe, was made general with regard to all other kings.

be suffered to come into Europe, and there invade any people whatsoever. The chief motive of their declaring war against Mithridates^b was, for his having subdued some barbarians contrary to this prohibition.

When they saw two nations engaged in war, altho' they were not in alliance, nor had any contest with either of them, they nevertheless appeared upon the stage of action, and, like our knight-errants, always sided with the weakest : 'Twas an ancient custom, says Dionysius Halicarnassus, for the Romans to grant succour to all who came to implore it.

These customs of the Romans were not certain particular incidents, which happened by chance, but were so many invariable principles ; and this is easy to perceive, for the maxims they put in practice against the greatest monarchs were exactly the same with those they had employed, in their infant state, against the little cities which stood round them.

They made Eumenes and Mafinissa contribute to the subjection of Philip and Antiochus, as they had before employed the Latins and the Hernici to subdue the Volscians and the Tuscans : They obliged the Carthaginians and the kings of Asia to surrend-

^b. Appian. *de Bello Mithridat.*

ⁱ. A fragment of Dionysius, copied from the extract of embassies, made by Constantine Porphyrogeneta.

er their fleets to them, in like manner as they had forced the citizens of Antium to give up their little vessels.

Whenever there happened any feud in a state, they immediately made themselves judges of it, and thereby were sure of having that party only, whom they condemned, for their enemy. If princes of the same blood were at variance for the crown, they sometimes declared them both kings, and by this means crushed the power of both : If one of them was a ^k minor, they declared in his favour, and made themselves his guardians in quality of protectors of the world ; for they had carried matters to so high a pitch, that nations and kings were their subjects, without knowing directly upon what right or title ; it being a maxim, that the bare hearing of their names, was sufficient for a people to acknowledge them their sovereigns.

When any state composed too formidable a body from its situation or union, they never failed to divide it. The republic of Achaia was formed by an association of free cities ; the senate declared, that every city should from that time be governed by its

^k To enable themselves to ruin Syria, in quality of guardians, they declared in favour of the son of Antiochus, who was but a child, in opposition to Demetrius, who was their hostage and conjured them to do him justice, crying, That Rome was his mother, and the senators his fathers.

The commonwealth of Boeotia rose likewise from a league made between several cities ; but, as in the war of Perseus, one city declared for that prince, and others for the Romans, the latter received them into favour, when the common alliance was dissolved.

Macedonia was surrounded by inaccessible mountains : The senate divided it into four parts ; declared those free ; prohibited them every kind of alliance among themselves by marriage ; carried off all the nobles into Italy, and by that means reduced this power to nothing.

Had a great monarch who reigned in our time followed these maxims, when he saw a neighbouring prince dethroned, he would have employed a stronger force in his support, and have confined him to the island which continued faithful to him. By dividing the only power that could have opposed his designs, he would have drawn infinite advantages even from the misfortunes of his ally.

The Romans never engaged in far-distant wars, till they had first made an alliance with some power contiguous to the enemy they invaded, who might unite his troops to the army they sent ; and as this was never considerable with regard to numbers,

they

they always had¹ another in that province which lay nearest the enemy, and a third in Rome, ever ready to march at a moment's warning. In this manner they never hazarded but a small part of their forces, whilst their enemy ventured all his.

They sometimes insidiously perverted the subtlety of the terms of their language : They destroyed Carthage, upon pretence that they had promised to preserve the *Civitas* not the *Urbs*^m. 'Tis well known in what manner the Ætolians, who had abandoned themselves to their faith, were imposed upon ; the Romans pretended, that the signification of these words, *abandon one's self to the faith of an enemy*, implied, the loss of all things, of persons, lands, cities, temples, and even of burial places.

The Romans would even go so far, as to give arbitrary explanations to treaties : Thus, when they were resolved to depress the Rhodians, they declared, that they had formerly given them Lycia, not by way of present, but as a friend and ally.

When one of their generals concluded a peace, merely to preserve his army which was just upon the point of being cut to pieces, the senate, who did not ratify it, took advantage of this peace and continued the

¹ This was their constant practice, as appears from history.

[^m That is, to save the corporation, but not the city.] war.

war. Thus when JUCURTHA had surrounded an army of Romans, and permitted them to march away unmolested, upon the faith of a treaty, these very troops he had saved were employed against him: And when the Numantians had reduced twenty thousand Romans just perishing with hunger, to the necessity of suing for peace; this peace, which had saved the lives of so many thousand citizens, was broke at Rome, and the public faith was eluded by sending back the consul who had signed it.

They sometimes would conclude a peace with a monarch upon reasonable conditions, and the instant he had signed them, they added others of so injurious a nature, that he was forced to renew the war. Thus, when they had forced Jugurtha to deliver up his elephants, his horses, his treasures, and his deserters, they required him to surrender up his person, which being the greatest calamity that can besal a prince, cannot for that reason be ever made an article of peace.

* After Claudio^s Glycias had granted the Corsicans a peace, the senate gave orders for renewing the war against them, and delivered up Glycias to the inhabitants of the island, who would not receive him. Every one knows what happened at the Furcæ Caudinæ.

* They acted the same part with regard to Viriatus: After having obliged him to give up the deserters, he was ordered to surrender up his arms, to which neither himself nor his army could consent. Fragment of Dion.

In

In fine, they set up a tribunal over kings, whom they judged for their particular vices and crimes : They heard the complaints of all persons who had any dispute with PHILIP : They sent deputies with them by way of safeguard, and obliged Perseus to appear before these, to answer for certain murthers and certain quarrels he had with some inhabitants of the confederate cities.

As men judged of the glory of a general by the quantity of the gold and silver carried in his triumph, the Romans stripped the vanquished enemy of all things. Rome was for ever enriching itself ; and every war they engaged in, enabled them to undertake a new one.

All the nations who were either friends or confederates, quite ^P ruined themselves by the immensely rich presents they made, in order to procure the continuance of the favours already bestowed upon them, or to obtain greater ; and half the monies which used to be sent upon these occasions to the Romans, would have sufficed to conquer them.

Being masters of the universe, they arrogated to themselves all the treasures of it ; and were less unjust robbers, considered as conquerors, than considered as legislators.

^P The presents which the senate used to send kings were mere trifles, as an ivory chair and staff, or a robe like that worn by their own magistrates.

Hearing that PTOLEMY king of Cyprus was possessed of immense wealth, they ^q enacted a law, proposed by a tribune, by which they gave to themselves the inheritance of a man still living, and confiscated to their own use the estates of a confederate prince.

In a little time, the greediness of particular persons quite devoured whatever had escaped the public avarice ; magistrates and governors used to sell their injustice to kings : Two competitors would ruin one another, for the sake of purchasing an ever-dubious protection against a rival who was not quite undone ; for the Romans had not even the justice of robbers, who preserve a certain probity in the exercise of guilt. In fine, as rights, whether lawful or usurped, were maintained by money only ; princes, to obtain it, despoiled temples, and confiscated the possessions of the wealthiest citizens ; a thousand crimes were committed, purely for the sake of giving to the Romans all the money in the universe.

But nothing was of greater advantage to this people than the awe with which they struck the whole earth : In an instant, kings were put to silence, and seemed as though they were stupid ; no regard was had to

^q Divitiarum tanta fama erat, says Florus, ut vix gentium populus, & donare regna consuetus, socii viri-que regis confiscationem mandaverit. lib. iii. c. 9.

their

^r They
countries ;
between t

their eminence, but their very persons were attacked ; to hazard a war, was to expose themselves to captivity, to death, to the infamy of a triumph. Thus kings, who lived in the midst of pomps and pleasures, did not dare to fix their eyes steadfastly on the Roman people ; and their courage failing them, they hoped to suspend a little the miseries with which they were threatened, by their patience and submissive actions.

Observe, I intreat you, the conduct of the Romans. After the defeat of ANTIOCHUS they were possessed of Africa, Asia, and Greece, without having scarce a single city in these countries that were immediately their own. They seemed to conquer with no other view but to bestow ; but then they obtained so complete a sovereignty, that whenever they engaged in war with any prince, they oppressed him, as it were, with the weight of the whole universe.

The time proper for seizing upon the conquered countries was not yet come : Had the Romans kept the cities they took from Philip, the Greeks would have seen at once into their designs : Had they, after the second Punic war, or that with Antiochus, possessed themselves of lands in ¹ Africa and

¹ They did not dare to venture their colonies in those countries ; but chose rather to raise an eternal jealousy between the Carthaginians and Masinissa, and to make

in Asia, they could never have preserved conquests so slightly established.

It was the interest of the Romans to wait till all nations were accustomed to obey, as free and as confederate, before they should attempt to command over them as subjects; and to let them blend and lose themselves, as it were, by little and little, in the Roman commonwealth.

This was a slow way of conquering: After overcoming a nation, they contented themselves with weakening it; they imposed such conditions as consumed it insensibly: If it recovered, they depressed it still more, and it became subject, without a possibility of dating the first æra of its subjection.

Thus Rome was not properly either a monarchy or a commonwealth, but the head of a body composed of all the nations in the universe.

Had the Spaniards, after the conquest of Mexico and Peru, followed this plan, they would not have been obliged to destroy all, for the sake of preserving all.

'Tis a folly in conquerors to force their own laws and customs on all nations; such a conduct is of very ill consequence, for men are capable of obeying under all kinds of government.

both these powers assist them in the conquest of Macedonia and Greece.

DECLENSION of the ROMANS. 101

But as Rome not did impose any general laws, the nations did not form any dangerous associations; they formed one body no otherwise than by a common obedience; and were all Romans without being countrymen.

It perhaps will be objected, that no empires founded on the laws of fiefs were ever durable or powerful. But nothing could be so contradictory as the plan of the Romans and that of the Goths; and just to mention these plans, the former was a work of strength, the latter of weakness: In the one, subjection was extreme; in the other, independence: In the Gothic states, power was lodged in the vassals, and the right of judging only in the prince; whereas 'twas the reverse in the Roman government.

CHAPTER VIII.

How it was possible for Mithridates to resist the ROMANS.

AMONG the several kings whom the Romans invaded, MITHRIDATES was the only one who made a courageous defence and exposed them to danger.

His dominions were situated to wonderful advantage for carrying on a war with them: They bordered on the inaccessible countries of mount Caucasus, peopled with

savage nations, whom that prince could call to his assistance; they thence extended along the sea of Pontus, which Mithridates covered with his ships, and he was incessantly purchasing new armies of Scythians: Asia was open to his invasions, and he was rich, because his cities, situated on the Pontus Euxinus, carried on an advantageous traffic with nations less industrious than themselves.

Proscriptions, the custom of which began at this time, had forced several Romans to leave their country. These were received by Mithridates with open arms, and he formed legions^f into which he incorporated those exiles, who proved the best soldiers in his army.

On the other side, the Romans, disorder'd by intestine divisions, and threatned with more imminent dangers, neglected the affairs of Asia, and suffered Mithridates to pursue his victories, or take breath after his defeats.

Nothing had contributed more to the ruin of most kings, than the manifest desire they shewed for peace: By this, they

^f *Frontin. Stratagem.* lib. ii. tells us, that Archelaus, lieutenant of Mithridates, engaging against Sylla, posted, in the first rank, his chariots armed with scythes, in the second his phalanx, in the third his auxiliaries armed after the Roman way; mixtis fugitivis Italiae, quorum pervicaciæ multum fidebat. Mithridates even made an alliance with Sertorius. See also Plutarch, life of Lucullus.

had

had prevented all other nations from dividing with them a danger, from which they were so anxious to extricate themselves : But Mithridates immediately made the whole world sensible, that he was an enemy to the Romans, and would be so eternally.

In fine, the cities of Greece and Asia finding the Roman yoke grow more intolerable every day, reposed their whole confidence in this barbarous king, who invited them to liberty.

This disposition of things gave rise to three mighty wars, which form one of the noblest parts of the Roman history, and for this reason : We don't, on this occasion, read of princes already overcome by luxury and pride, as Antiochus and Tigranes ; nor by fear, as Philip, Perseus, and Jugurtha ; but a magnanimous king, who in adversity, like a lion that gazes upon his wounds, was fired with the greater indignation upon that account.

This part of the Roman history is singular, because it abounds with perpetual and ever-unexpected revolutions : For as on one side, Mithridates could easily recruit his armies, so it appeared, that in those reverses of fortune, in which kings stand in greatest need of obedience and a strict discipline, his barbarian forces forsook him : As he had the art of enticing nations, and stirring up cities to rebellion, so was he likewise

betrayed by his captains, his children and his wives; in fine, as he was sometimes opposed by unexperienced Roman generals, so there was sent against him, at other times, SYLLA, LUCULLUS, and POMPEY.

This prince, after having defeated the Roman generals, and conquered Asia, Macedonia, and Greece; having been vanquished, in his turn, by Sylla; confined by a treaty to his former limits, and harrassed by the Roman generals; having been once more superior to them, and conqueror of Asia; driven away by Lucullus; pursued into his own country; obliged to fly for shelter to Tigranes, and defeated with him: Finding this monarch irrecoverably lost, and depending merely upon himself for succour, he took sanctuary in his own dominions, and re-ascended the throne.

Lucullus was succeeded by Pompey, who quite overpowered Mithridates. He then flies out of his dominions, and crossing the Araxes, marches from danger to danger thro' the country of the Lazi; and assembling in his way all the barbarians he met with, appeared in the Bosphorus against his son ^b MACCHARES, who had reconciled himself to the Romans.

^a Mithridates had made him king of the Bosphorus. News being brought of his father's arrival, he dispatched himself.

Altho' plunged in so deep an abyss, he yet formed a design of making Italy the seat of the war, and of marching to Rome at the head of those nations who enslaved it some years after, and by the same way these now took.

Betrayed by Pharnaces, another of his sons, and by an army terrified at the greatness of his enterprizes and the perils he was going in search of, he died in a manner worthy a king.

'Twas then that Pompey, in the rapidity of his victories, completed the pompous work of the Roman grandeur : He united to the body of its empire, countries of a boundless extent, which, however, heightened the Roman magnificence rather than increased its power ; and tho' it appeared by the titles carried in his triumph, that he had increased the revenue of the public treasury ^x above a third, there yet was no augmentation in power, and the public liberty was thereby only exposed to the greater danger.

^v See Appian, *de Bello Mithridatico*.

^x See Plutarch in the life of Pompey ; and Zonaras, lib. ii.

CHAPTER IX.

*Of the Divisions which always subsisted in the
CITY.*

WHILST Rome was conquering the world, a hidden war was carrying on within its walls : These fires were like those of volcanos, which break out the instant they are fed by some combustible substance.

After the expulsion of the kings, the government became aristocratical : The patrician families only, obtained all the employments and dignities in the ^a state, and consequently all ^b honours civil and military.

The patricians being determined to prevent, if possible, the return of the kings, endeavoured to foment the restless principle which now prevailed in the minds of the people ; but they did more than they would willingly have done : By attempting to inspire them with a hatred for kings, they fired them with an inordinate thirst for liberty. As the royal authority had devolv-

^a The patricians were invested, in some measure, with a sacred character, and they only were allowed to take the auspices. See in Livy, book vi. the speech of Appius Claudius.

^b As for instance, they alone were permitted to triumph, since they alone could be consuls and generals.

ed entirely upon the consuls, the people found they were far from possessing that liberty they were taught to idolize: They therefore sought for methods by which they might depress the consulate; procure plebeian magistrates; and share the Curule, or greater employments, with the nobles. The patricians were forced to comply with all the demands of the people; for in a city where poverty was the public virtue; where wealth, that clandestine path to power, was despised, neither birth nor dignities could bestow any great advantages: It was therefore necessary for power to fall into the hands of the greater number, and for aristocracy to change by insensible degrees into a popular state.

Those who are subordinate to a king, are less tortured with envy and jealousy than such as live under an hereditary aristocracy: The prince is at so great a distance from his subjects that he is scarce seen by them; and is raised so far above them, that they cannot conceive any relation capable of giving them disgust. But when the nobles preside in a state, they are exposed to the eyes of all men, and are not seated so high as to prevent odious comparisons from being made perpetually; and, indeed, the people have detested senators, in this and in all ages. Such commonwealths in which birth does not bestow any share in the legislature, are

the happiest in this respect ; for 'tis natural that the people should not bear so much envy to an authority, which they bestow on whom they think proper, and resume at will.

The people being disgusted at the patricians, withdrew to the sacred hill (Mons facer) whither deputies being sent, they were appeased : And as they all made a promise to assist one another, in case the patricians should not perform their ^c engagement, which would have created seditions every moment, and disturbed all the magistrates in the exercise of their functions ; 'twas judged better to create an officer, ^d who might protect the people against any injustice that should be done them : But by a malady for ever incident to man, the plebeians, who had obtained tribunes merely for their own defence, employed those very magistrates to annoy others ; so that they stript, by insensible degrees, the patricians of all their privileges. This gave rise to everlasting contests : The people were supported, or rather animated, by their tribunes ; and the patricians were defended by the senate, the greatest part of which consisted of patricians, who were more inclined to favour the antient maxims, and afraid that the popu-

^c Zonaras, lib. ii.

^d Origin of the tribunes of the people.

lace would raise some tribune to arbitrary power.

The people employed, in the defence of this magistrate, their own strength, and the superiority they had in the suffrages, their refusal to march into the field, their threats to go quite away, the partiality of the laws, in fine, their judiciary sentences against those who had opposed them too vigorously : The senate defended themselves by their wisdom, their justice, and the love they inspired into all for their country ; by their beneficence, and the prudent distribution of the treasures of the commonwealth ; by the veneration which the people had for the glory of the principal families, and the virtue of illustrious personages ; by religion itself, the antient institutions, and the prohibition of days of public meeting, upon pretence that the auspices had not been

^c The people had so great a veneration for the chief families, that altho' they had obtained the privilege of creating plebeian military tribunes, who were invested with the same power as the consuls, they nevertheless always made choice of patricians for this employment. They were obliged to put a constraint upon themselves, and to enact, that one consul always should be a plebeian ; and when some plebeian families were raised to offices, the way was afterwards open to them without intermission. 'Twas with difficulty that the people, notwithstanding the perpetual desire they had to depress the nobility, depressed them in reality ; and when they raised to honours some person of mean extraction, as Varro and Marius, it cost them very great struggles.

favour-

favourable ; by their clients, by the opposition of one tribune to another ; by the creation of a ^f dictator, the occupations of a new war, or the misfortunes and calamities which united all parties ; in a word, by a paternal condescension, in granting the people part of their demands, purposely to make them relinquish the rest ; and by that stedfast maxim, of preferring the safety of the republic to the prerogatives of any order or public employment whatsoever.

In process of time, when the plebeians had depressed the patricians to such a degree, that this ^g distinction of families was empty and fruitless, and that both were indiscriminately raised to honours, new contests arose between the populace, whom their tribunes spirited up, and the chief families, whether patricians or such plebeians as were styled noble, and were favoured by the senate that was composed of them : But, as the antient manners subsisted no more ; as particular

^f The patricians, to defend themselves, used to create a dictator, which proved of the greatest advantage to them ; but the plebeians having obtained the privilege of being elected consuls, could also be elected dictators, which quite disconcerted the patricians. See in Livy, lib. viii. in what manner Publius Philo depressed them in his dictatorship. He enacted three laws, by which they received the highest prejudice.

^g The patricians reserved to themselves only a few offices belonging to the priesthood, and the privilege of creating a magistrate called interrex.

persons

DECLENSION of the ROMANS. 111

persons were possessed of immense wealth, and that 'tis impossible but wealth must give power; these nobles made a stronger resistance than the patricians had done, which occasioned the death of the Gracchi, and of several persons who followed their planⁱ.

I must take notice of an office which contributed greatly to the happy polity of Rome; 'twas that of the censors. These numbered or surveyed the ^k people; farther, as the strength of the commonwealth consisted in the strictness of discipline, in the

^h As Saturninus and Glaucias.

[ⁱ When the people of Rome had obtained the privilege of sharing the patrician magistracies, it was natural to think that the flatterers of them would immediately become arbiters of the government. But no such thing.—It is observable that the very people who had rendered the plebeians capable of public offices, fixed, notwithstanding, their choice constantly on the patricians. Because they were virtuous, they were magnanimous; and because they were free, they had a contempt of power. But when their morals were corrupted, the more power they were possessed of, the less prudent was their conduct; till at length upon becoming their own tyrants and slaves, they lost the strength of liberty to fall into the weakness and impotency of licentiousness. L' Esprit des Loix, l. viii, c. 12.]

^k The census or survey of the citizens was a very prudent institution in it self: It was a survey of the state of their affairs, and an enquiry into their power. It was founded by Servius Tullius, before whom, according to Eutropius, book i. the census was unknown.

severity

severity of manners, and the uninterrupted observation of certain customs ; they corrected such errors and abuses as the legislative power had not foreseen, or the ordinary magistrate ¹ could not punish. Some bad examples are worse than crimes, and a violation of manners has destroyed more states, than the infraction of laws : In Rome, whatever might tend to introduce dangerous novelties, to create a change in the minds or affections of the citizens, and prevent, if I may use the expression, the perpetuity of it ; all disorders and tumults, whether public or private, were reformed by the censors ; these had authority to expel whomsoever they pleased the senate ; could take from a knight the horse maintained for him at the public expence ; and degrade a citizen to the rank of such as contributed to the maintenance of the magistrates of the city, without enjoying the privileges of it ; in a word, the censors took a view of the actual situation of the republic, and distributed the people ^m among their various

¹ The reader may see in what manner those were degraded who, after the battle of Cannæ, were for leaving Italy ; those who had surrendered to Hannibal, those who by an insidious and false interpretation, had forfeited their word.

^m The plebeians obtained, in opposition to the patricians, that the laws and elections of magistrates should be made by the people assembled by tribes and not by

tribes in such a manner, as to prevent the tribunes and persons of an aspiring temper from engrossing the suffrages, or the people from abusing their power.

M. LIVIUS,^u degraded the people themselves, and reduced thirty four tribes out of the thirty five, to the rank of those who had no share in the privileges of the city;

centuries. There were thirty five tribes, each of whom gave its vote; Four belonging to the city, and thirty one to the country. As there were but two professions among the Romans that were honourable, war and husbandry, the country tribes were had in greatest consideration; and the four remaining ones admitted into their body that contemptible part of the citizens, who having no lands to cultivate, were, if we may so say, but citizens by halves; the greatest part of them did not even go war, for in the enlisting of soldiers the division of centuries was observed; and those who were members of the four city tribes, were very near the same with those who in the division by centuries were of the sixth class, in which no person was enrolled. Thus, it was scarce possible for the suffrages to be in the hands of the populace, who were confined to their four tribes; but as every one committed a thousand frauds, for the sake of getting out of them, the censors had an opportunity of reforming this abuse every five years; and they incorporated into any tribe they pleased, not only a citizen, but also bodies and whole orders. See the first remark of chapter xi. See also Livy, lib. i. Decad. I. in which the different divisions of the people, made by Servius Tullius, are very well explained: 'Twas the same body of the people, but divided in various respects. [—In such a manner, that property rather than numbers determined elections. *L'Esprit des Loix*, book ii. c. 2.]

^u Livy, lib. xxix.

for,

for, said this Roman, you first condemned me, and afterwards raised me to the consulate and the censorship ; you therefore must either have prevaricated once in punishing me, or twice in creating me consul and afterwards censor.

M. DURONIUS, ^o tribune of the people, was expelled the senate by the censors, for having annulled, when in office, the law which limits the expences of feasts.

The following institution was a very wise one ; no ^p magistrate could be turned out of his employment, because that would have disturbed the exercise of the public power ; but they divested such a man of his order and rank, and deprived as it were, a citizen of his particular nobility.

The government of Rome was wonderful in this respect ; ever since the foundation of that city, it's constitution was such, either from the genius of the people, the strength of the senate, or the authority of certain magistrates, that every abuse of power might always be reformed in it.

Carthage was destroyed, because, when abuses were to be retrench'd, the citizens could not bear the hand even of their Hannibal. Athens fell, because the errors of the people appeared so lovely in their own eyes, that

^o Valer. Max. 1 ii.

^p The dignity of senator was not a public office or employment.

they would not be cured of them: And among us, those Italian republics which boast the perpetuity of their government, ought to boast of nothing but the perpetuity of their abuses; nor indeed, do they enjoy greater liberty ⁹ than Rome did under the Decemviri.

The British government is one of the wisest in Europe, because there is a body which examines it perpetually, and is perpetually examining itself; and its errors are of such a nature, as never to be lasting, and are frequently useful by rousing the attention of nation.

In a word, a free government, that is to say, one for ever in motion, cannot support itself, unless its own laws are capable of correcting the disorders of it.

It may not be improper here to give a more minute detail of the steps by which the Roman constitution was perfected; how its strength increased with its liberties; and how both were impaired together. To this purpose we shall add a few pages from this excellent writer's other work, L' Esprit des Loix, l. xi.

⁹ Nor even greater power.

C H A P T E R. X.

*Of the division of the three Powers under
the different governments of Rome.*

TH E government of the kings of Rome in some measure resembled that of the kings of the heroic times of Greece. It sunk, like that, by its general corruption, tho' in itself, and in its own particular nature, it was exceeding good.

To give my reader a clear notion of this government, I shall consider distinctly that of the five first kings, that of Servius Tullius, and that of Tarquin.

The crown was elective, and under the five first kings the senate had the greatest share in the election.

Upon the king's decease, the senate took into consideration, whether they should continue the established form of government. If they thought proper to continue it, they named a magistrate, * taken from their own body, who chose a king: it was the business of the senate to approve of the election, of the people to confirm it, and of the augurs to ratify it. If one of these three conditions was wanting, they were obliged to proceed to another election.

The constitution was a mixture of monarchy, aristocracy, and democracy; and such was the harmony of these powers, that

* Dionys. Halicarn. l. ii. p. 120. & l. iv. p. 242, 243.
in

in the first reigns there was no instance of jealousy or dispute. The king commanded the armies, and had the direction of the sacrifices ; he had the power of determining ^b civil and criminal ^c causes ; he convened the senate, assembled the people, laid some affairs before the latter, and regulated the rest with the senate ^d.

The authority of the senate was great. The kings often took some of the senators to pass judgments jointly with himself ; and they never laid any affair before the people, which had not been previously debated ^e in the senate.

The people had the right of chusing ^f magistrates, of consenting to new laws, and, with the king's permission, of declaring war, and making peace : But they had not the power of judging. When Tullus Hostilius referred the tryal of Horatius to the peo-

^b See Tanaquil's discourse in Livy, lib. i. c. 41. and the regulation of Servius Tullius, in Dionys. Halicarn. lib. iv. p. 229.

^c See Dionys. Halicarn. l. ii. p. 118. and l. iii. p. 171.

^d It was by virtue of a senatus consultum that Tullus Hostilius ordered Alba to be destroyed. Dionys. Halicarn. l. iii. p. 167, and 172.

^e Ibid. l. iv. p. 276.

^f Ibid. book ii. And yet they could not have the nomination of all offices ; since Valerius Publicola made that famous law which prohibited every citizen from exercising any, unless he had obtained it by the suffrage of the people.

ple, he had some particular reasons, which may be seen in Dionysius Halicarnasseus^g.

The constitution was altered under^h Servius Tullius. The senate had no share in his election; he caused himself to be proclaimed by the people; he resigned the power of judging civil causes,ⁱ and reserved to himself only the criminal; he laid all affairs directly before the people; he eased them of taxes, and laid the whole burthen of them upon the patricians. Hence in proportion as he weakened the regal dignity and the authority of the senate, he augmented the power of the people^k.

Tarquin would not be chosen either by the senate or by the people; he considered Servius Tullius as an usurper, and took the crown as an hereditary right. He turn'd out most of the senators; those who remained he no longer consulted; nor did he even summon them to assist in judgments^l. Thus his power increased: and the odium of that power received a new addition, by usurping also the authority of the people,

^g L. iii. p. 159.

^h Dionys. Halicarn. l. iv.

ⁱ He divested himself of half the regal power, says Dionys. Halicarn. lib. iv. p. 229.

^k It was thought, if he had not been prevented by Tarquin, he would have established a popular government. Dionys. Halicarn. book iv. p. 243.

^l Dionys. Halicarn. lib. iv.

without whom, and even against whom he enacted several laws. He would have re-united the three powers in his own person ; but the people recollected for a moment that they were legislators : and Tarquin was no more.

To proceed then : For we never know how to quit the history of the Romans, just as, to this day, we neglect the modern palaces in their capital to go in search of ruins ; or as the eye after resting itself on the enamelled meadows, loves to visit rocks and mountains.

The patrician families were at all times possessed of great prerogatives. These distinctions, which were considerable under the kings, became much more important after their expulsion. Hence arose the jealousy of the plebeians, who wanted to reduce them. The contests struck upon the constitution without weakning the government : for there was no great difference whatever family the magistrates were of, provided the magistracy preserved its authority.

An elective monarchy, like that of Rome, necessarily supposeth a powerful aristocratical body to support it ; without which it changes immediately into tyranny or into a popular state. But a popular state has no need of this distinction of families to maintain itself. This was the reason why the patricians, who were a necessary part of the constitution under the regal government, became a superfluous

fluous branch under the consuls : the people could depress them without hurting themselves, and change the constitution without corrupting it.

After Servius Tullius had reduced the patricians, it was natural for Rome to fall from the regal hands into those of the people. But the people by reducing the patricians had no reason to be afraid of falling again under a regal power.

A state may alter two different ways, either by the amendment, or by the corruption of the constitution. If it has preserved its principles and the constitution is changed, it is owing to its amendment ; if upon changing the constitution, its principles are lost, it is because it has been corrupted.

Rome after the expulsion of the kings, should naturally have been a democracy. The people had already the legislative power in their hands ; their unanimous suffrage had expelled the kings ; and if they had not continued steady in that resolution, the Tarquins might easily have been restored. To pretend that their design in expelling them was to render themselves slaves to a few families, was unreasonable. The situation therefore of things required that Rome should be a democracy ; and yet it was not. There was a necessity of tempering the power of the principal families, and of giving the laws a bias to democracy.

States

States often flourish more under the insensible transition from one constitution to another, than under the establishment of either. Then it is that all the springs of government are stretched, that every citizen puts in his pretensions, that they oppose or care for one another, and that there is a noble emulation between those who defend the declining, and those who are strenuous in promoting the new, constitution.

There were four things which greatly oppressed the liberty of Rome. The patricians had engrossed to themselves all sacred, political, civil, and military employments; an exorbitant power was annexed to the consulate; the people were often insulted; and in fine they had scarce any influence at all left in the public suffrages. These four abuses were redressed by the people.

1st. It was stipulated that there should be some magistracies open to the plebeians; who by degrees obtained that they should be made capable of all, except that of *Interrex*.

2. The consulate was dissolved into several other magistracies ^m; prætors were created, on whom the power was conferred of determining private causes; quæstors ⁿ were

^m Livy, l. vi.

ⁿ Quæstores parricidii. Pomponius, leg. 2. ff de orig. Juris.

nominated for judging public crimes; ædiles were established for the civil administration; treasurers ^o appointed, who had the management of the public money; and in fine by the creation of censors the consuls were divested of that part of the legislative power, which regulates the morals of the citizens, and the momentary polity of the different bodies of the state. The chief prerogatives left them were to preside in the great assemblies ^p of the people, to convene the senate, and to command the armies.

3. By the sacred laws, tribunes were established, who had a power on all occasions of checking the encroachments of the patricians, and prevented not only particular, but likewise general injuries.

In fine, the plebeians increased their influence in public decisions. The people of *Rome* were divided in three different manners, by centuries, by curiæ, and by tribes; and whenever they gave their votes, they were assembled and formed one of those three ways.

In the first the patricians, the leading men, the rich, the senate, which was very near the same thing, had almost the whole

^o Plutarch Life of Publicola.

^p Comitiis centuriatis.

authority,

^q See

^r Dio

authority ; in the second they had less ; and less still in the third.

The division into centuries was a division rather of estates and fortunes, than of persons. The whole body of the people was divided into a hundred and ninety-three centuries^q, which had each a single vote. The patricians and leading men composed the first ninety eight centuries ; and the other ninety-five consisted of the remainder of the citizens. In this division therefore the patricians were masters of the suffrages.

In the division into curiæ^r, the patricians had not the same advantages : some however they had, for it was necessary to consult the auspices, which were under the power of the patricians ; and no proposal could be made to the people in those assemblies, unless it had been previously laid before the senate and confirmed by a senatus-consultum. But in the division into tribes neither the auspices, nor the decrees of the senate interfered ; and the patricians were excluded.

Now the people endeavoured constantly to have those meetings by curias which had been customary by centuries ; and by tribes those they used to have before by curias ; by which means the direction of public af-

^q See Livy, lib. i. 43. & Dionys. Halicarn. lib. iv, & vii.

^r Dionys. Halicarn. lib. ix. p. 593.

fairs soon devolved from the patricians to the plebeians.

Thus when the plebeians obtained the power of judging the patricians, a power which commenced in the affair of Coriolanus^s, the plebeians insisted upon judging them by assemblies in tribes^t, and not in centuries: and when the new magistracies of tribunes^u and aediles were established in favour of the people, the latter obtained that they should meet by curias to nominate them; and when the people's power was fully confirmed, they gained^w a further privilege of proceeding to this nomination by tribes.

In the heat of the contests between the patricians and the plebeians, the latter insisted upon having fixt laws, that the public judgments might no longer be the effect of a capricious will or of an arbitrary power. The senate after much opposition consented to it; and to compose these laws decemvirs were nominated. It was thought proper to grant them an extraordinary power, because they were to give laws to almost incompatible parties. The nomination of all magistrates was suspended, and they were chosen in the comitia sole administrators of the re-

^s Ibid. l. vii. p. 463. 464. ed. Sylb.

^t Contrary to the ancient custom, as may be seen in Dionys. Halicarn. l. v. p. 320.

^u Dionys. Halicarn. l. vi. p. 410, & 411.

^w See Dionys. Halicarn. l. ix. p. 605.

public. Thus they found themselves invested with the consular and tribunician power. By one they had the privilege of assembling the senate, by the other that of assembling the people. But they assembled neither senate nor people. Ten men in the republic had alone the whole legislative, the whole executive, and the whole judiciary power. Rome saw her self enslaved by as cruel a tyranny as that of Tarquin. When Tarquin exercised his oppressions, Rome was enraged at the power he had usurped ; when the decemvirs exercised theirs, she was astonished at the power she had given.

What a strange system of tyranny was this, formed by men who had obtained the political and military power merely because of their knowledge in civil affairs ; and who in the circumstances of that very time stood in need of the cowardice of the citizens at home, to venture upon the government of them, and of their courage abroad to have the security of their protection ?

Virginia's death, who fell a victim by her father's hand to chastity and liberty, was a spectacle which put an end to the power of the decemvirs. Every man became free, because every man had been injured ; each shewed himself a citizen, because each felt the bowels of a parent. The senate and

people returned to that liberty which had been entrusted to ridiculous tyrants.

No people were so easily moved with spectacles as the Romans. That of the bleeding corpse of Lucretia, put an end to the regal government. The debtor^x who appeared in the forum with his body covered with stripes, caused an alteration in the form of the republic. The exposing Virginia's body occasioned the expulsion of the decemvirs. To condemn Manlius it was necessary to keep the people from seeing the capitol. Cæsar's bloody garment threw Rome again into slavery.

Under the decemvirs there were no rights to contest, but upon the restoration of liberty, jealousies revived; and as long as the patricians had any privileges left, they were stripped of them by the plebeians.

The mischief would not have been so great, had the plebeians been content to have deprived the patricians of their prerogatives, without injuring their rights as citizens. When the people assembled by curias or centuries, they were composed of senators, patricians, and plebeians. In their disputes the plebeians gained this point^y, that they alone without patricians or senate might enact laws call'd plebiscita; and the

^x Liv. l. i. 23.

^y Dionys. Halicarn. lib. xi. p. 725.

comitia in which they were made, were called comitia by tribes. Thus there were cases in which the patricians ^a had no share in the legislative power, and ^a in which they were subject to the legislative power of another body of the state. This was the highest extravagance of liberty. The people to establish a democracy, acted against the very principles of this government. One would have imagined that so exorbitant a power must have destroyed the authority of the senate. But *Rome* had admirable institutions. Two of these were especially remarkable; by one of which the legislative power of the people was regulated, by the other it was limited.

The censors, and before them the consuls ^b, formed and created, as it were, every five years the body of the people; they exercised the legislation on the very body that was

^a By the sacred laws the plebeians had a power of making the plebiscita by themselves, without admitting the patricians into their assembly. Dionys. Halicarn. l. vii. p. 410. and l. vi. p. 430.

^b By the law made after the expulsion of the decemvirs, the patricians were made subject to the plebiscita, tho' they had not a right of voting there. Livy l. iii. and Dionys. Halicarn. l. xi. p. 725. This law was confirmed by that of Publius Philo the dictator, in the year of Rome 416. Livy, l. viii

^b In the year 312, of Rome, the consuls still went thro' the office of registering the people and their estate, as appears by Dionys. Halicarn. lib. xi.

possessed of the legislative power. “ *Tiberius Gracchus*, says Cicero, caused the freedmen to be admitted into the city tribes, not by the force of his eloquence, but by a word and a gesture ; and had he not done so, the republic, which we are now scarce able to support, would not even have existed.”

On the other hand, the senate had the power of rescuing, as it were, the republic out of the hands of the people, by creating a dictator, before whom the sovereign power bowed its head, and the most popular laws were silent^c.

If the people were jealous of their legislative power, they were less so of their executive. This they left almost entirely to the senate and to the consuls ; and scarce reserved any thing more to themselves, than the right of chusing the magistrates, and of confirming the acts of the senate and of the generals.

Rome, whose passion was to command, whose ambition to make every thing submit to her, who rose by usurpation and still supported herself by it, had constantly affairs of moment upon her hands ; her enemies were always conspiring against her, or she against her enemies.

As she was obliged to behave on the one

^c Such as those by which it was allowed to appeal from the decisions of all the magistrates to the people’s hand

hand with heroic courage, and on the other with consummate prudence ; the situation of things required of course that the senate should have the management of them. Thus the people disputed every branch of the legislative power with the senate, because they were jealous of their liberty ; but they had no disputes about the executive, because they were jealous of their glory.

So great was the share the senate took in the executive power, that, as Polybius⁴ informs us, foreign nations imagined that Rome was an aristocracy. The senate disposed of the public money and farmed out the revenue ; they were arbiters of the affairs of the allies ; they determined war or peace, and directed in this respect the consuls ; they fixed the number of the Roman and of the allied troops, assigned of the provinces and armies to the consuls or praetors, and upon the expiration of the year of command had the power of appointing their successors ; they decreed triumphs, received and sent embassies ; they nominated, rewarded, punished, and were judges of kings ; gave them, or declared they had forfeited, the title of allies of the Roman people.

The consuls levied the troops which they were to carry into the field ; they had the command of the sea and of the land armies ;

⁴L. vi.

G 5

disposed.

disposed of the allies; were invested with the whole power of the republic in the provinces; gave peace to the vanquished nations, imposed conditions on them, or referred them to the senate.

In the earliest times, when the people had some share in the affairs relating to war and peace, they exercised rather their legislative than their executive power. They scarce did any thing else but confirm the acts of the kings, and after their expulsion, of the consuls or senate. So far was war from being at the will of the people, that we see, notwithstanding the opposition of their tribunes, the senate or consuls often declared it.

But in the drunkennes of their prosperity, they increased their executive power. Thus they ^c created the military tribunes, the nomination of whom till then had belonged to the generals; and, some time before the first Punic war, they decreed that themselves only should have the right ^f of declaring war.

The judiciary power was given to the people, to the senate, to the magistrates,

^c In the year of Rome 444. Livy I. ix. As the war against Perseus appeared somewhat dangerous, it was ordained by a senatus-consultum, that this law should be suspended, and the people agreed to it. Livy, Dec. v. l. ii.

^f They extorted it from the senate, says Freinsheimius, Dec. iii. l. vi.

and to particular judges. We must see in what manner it was distributed, beginning with their civil affairs.

The consuls had ^s the power of judging after the expulsion of the kings, as the prætors were judges after the consuls. Servius Tullius divested himself of the judgment of civil causes, and the consuls had cognisance of them only in ^h some very rare cases, which for that reason were called *extraordinary*ⁱ. They were satisfied with naming the judges, and with forming the several tribunals. By a discourse of Appius Claudius, in Dionysius ^k Halicarnassus, it appears, that from the 259th year of Rome, this was looked upon as an established custom among the Romans, and we should not carry it far back, if we refer it to Servius Tullius.

Every year the prætor made a list ^l of such as he chose to discharge the office of judges during the year of his magistracy. From thence a proper number was selected

^s There is no doubt but the consuls had the power of judging civil affairs before the creation of the prætors. See Livy, Dec. i. l. ii. p. 19. Dionys. Halicarn. lib. x. p. 627. and the same Book, p. 645.

^h The tribunes frequently judged by themselves only, than which nothing rendered them more odious, Dionys. Halicarn. lib. xi. p. 709.

ⁱ *Judicia extraordinaria*. See the Institutes, book iv.

^k Book vi. p. 360.

^l *Album Judicum*.

for each cause; a custom almost the same with what is now practised in England. And what was very favourable to liberty¹, the prætor appointed the judges with^m consent of the parties. The great number of exceptions which they have to this day the power of making in England, agrees pretty near with this very circumstance.

The judges decided only questionsⁿ of fact, whether a sum of money, for instance, had been paid or not, whether an action had been committed or not. But questions of^o right, as they required some sort of capacity, were always carried to the tribunal of the centumvirs^p.

The kings reserved to themselves the judgment of criminal affairs, and in this they were succeeded by the consuls. It was in consequence of this authority that the con-

¹ "Our ancestors, says Cicero pro Cluentio, would not suffer any man, whom the parties had not agreed to, to be judge of the least pecuniary affair, much less of a citizen's reputation."

^m See in the fragments of the Servilian, Cornelian, and other laws, in what manner these laws appointed judges for the crimes they propos'd to punish. They were often by choice, sometimes by lot, or in fine by lot mixt together with choice.

ⁿ Seneca de Benefic. lib. iii. cap. 7, in fine.

^o See Quintilian lib. iv. p. 54. in fol. edit. of Paris,

1541.

^p Leg. 2. ff. de Orig. Jur. Magistrates, who were called decemvirs, presided in court, the whole under a prætor's direction.

ful Brutus put his children and all those who were in conspiracy with the Tarquins, to death. This was an exorbitant power. The consuls being already possessed of the military command, extended the exercise of it even to civil affairs ; and their procedures being divested of all forms of justice, were rather acts of violence than judgments.

This gave rise to the Valerian law, which gave the liberty of an appeal to the people from every ordinance of the consuls which endangered the life of a citizen. The consuls after this had no longer a power of pronouncing sentence of death upon a Roman citizen without the consent of the people^q.

We see in the first conspiracy for the restoration of the Tarquins, that the criminals were tried by Brutus the consul ; in the second, the senate and comitia were assembled to try them^r.

The laws distinguished by the name of sacred, allowed the plebeians the privilege of choosing tribunes, which formed a body, whose pretensions at first were immense. It is hard to determine which was greater, the insolence of the plebeians in demanding, or the condescension and facility of the senate

^q Quoniam de capite civis Romani, injussu populi Romani, non erat permisum consulibus jus dicere. See Pomponius Leg. 2. ff. de Orig. Jur.

^r Dionys. Halicarn. lib. v. p. 322.

in granting. The Valerian law allowed of appeals to the people, that is, to the people composed of senators, patricians, and plebeians. The plebeians obtained that the appeals should be brought before them. A question was soon after started, whether the plebeians had a right of judging a patrician; this was the subject of a dispute which the affair of Coriolanus gave rise to, and which ended with that affair. When Coriolanus was accused by the tribunes before the people, he insisted, contrary to the spirit of the Valerian law, that, as he was a patrician, none but the consuls had a power to judge him; the plebeians, contrary to the spirit of the same law, pretended that he ought to be judged by themselves only, and they judged him accordingly.

This was moderated by a law of the twelve tables, which ordained that causes which concerned the life of a citizen, should be decided ^{*} only in the great assemblies of the people. Hence the body of the plebeians, or, which amounts to the very same, the comitia by tribes, now judged only of such crimes as were punished with a pecuniary mulct. To inflict a capital punishment a law was requisite; but to condemn to a

* The comitia by centuries. Thus Manlius Capitolinus was judged in these Comitia. Livy, Dec. i. book vi. p. 60.

pecuniary fine, there was occasion only for a plebiscitum.

This regulation of the law of the twelve tables was very prudent. It produced an admirable reconciliation between the body of the plebeians and the senate. For as the full judiciary power of both depended on the greatness of the punishment and the nature of the crime, it was necessary they should both agree.

The Valerian law abolished all the remains of the Roman government, which had any resemblance with that of the kings of Greece in the heroic times. The consuls found themselves divested of the power to punish crimes. Though all causes are public, yet we must distinguish between those which more nearly concern the mutual intercourse of citizens, and those which more nearly affect the state in the relation it has to its subjects. The first are called private; the second public. The latter were judged by the people; and in regard to the former, they named by particular commission a quæstor for the prosecution of each crime. The person chosen by the people was frequently one of the magistrates, and sometimes a private man. He was called the quæstor of parricide, and is often mentioned in the law of the twelve tables ^u.

^u Pomponius on the second law in the Digest. de Orig. Jur.

The quæstor nominated him whom they called judge of the question, who drew the judges by lot, formed the tribunal, and presided next under the quæstor ^w.

Here it is proper to observe what share the senate had in the nomination of the quæstor, that we may see how far the two powers were balanced in this respect. Sometimes the senate caused a dictator to be chosen in order to exercise the office of quæstor^x; sometimes they ordained that the people should be convened by a tribune in order to proceed to the nomination of a quæstor ^y: and in fine, the people sometimes appointed a magistrate to make his report to the senate concerning a particular crime, and to desire them to name a quæstor, as may be seen in the judgment of Lucius Scipio ^z in Livy ^a.

In the year of Rome 604 some of these commissions were rendered permanent ^b.

^w See a fragment of Ulpian, who gives another of the Cornelian law; it is to be met with in the Comparison of the Mosaic and Roman laws, tit. 1, de fici*riis* and homicidiis.

^x This took place especially in regard to crimes committed in Italy, which were subject chiefly to the inspection of the senate. See Livy, 1 Dec. lib. ix. concerning the conspiracies of Capua.

^y This was the case in the prosecution for the murder of Posthumius, in the year of Rome 340. See Livy.

^z This judgment was given in the year of Rome 567.

^a Book viii.

^b Cicero in Bruto.

By degrees all criminal causes were divided into different parts, which they called standing questions. Different praetors were created, to each of whom some of those questions were assigned : and a power was conferred on them for one year, of judging such crimes as depended on those questions, after which they went to the government of their respective provinces.

At Carthage the senate of the hundred was composed of judges who enjoyed that dignity for life^c. But at Rome the praetors were annual, and the judges were not even for so long a term, since they were nominated for each cause.

The judges were chosen from the order of senators, till the time of the Gracchi. Tiberius Gracchus caused a law to pass that they should be taken from the equestrian order ; a change so very considerable that the tribune boasted of having cut by one rogation only the sinews of the senatorian dignity.

It is necessary to observe that the three powers may be very well distributed in regard to the liberty of the constitution, though not so well in respect to the liberty of the subject. At Rome the people had the greatest share of the legislative, a part of the executive, and part of the judiciary power ; by which means they had so great a weight in the go-

^c This is proved from Livy, l. iv, who says that Hannibal rendered their magistracy annual.

vernment, as required some other power to balance it. The senate indeed had part of the executive power, and some share of the legislative^d; but this was not sufficient to counter-balance the weight of the people. It was necessary that they should have a share in the judiciary power; and accordingly they had a share when the judges were chosen from among the senators. But when the Gracchi deprived the senators of the power of judging^e, the senate were no longer able to withstand the people. To favour therefore the liberty of the subject they struck at the liberty of the constitution, but the former perished with the latter.

Infinite were the mischiefs which arose from thence. The constitution was changed at a time when the flame of civil discord had scarce left any constitution. The knights were no longer that middle order which united the people to the senate; the chain of the constitution was broke.

There were even particular reasons against transferring the judiciary power to the equestrian order. The constitution of Rome was founded on this principle, that none should be enlisted as soldiers but such as were men of sufficient property to answer

^d The *senatus consulta* were of force for the space of a year, tho' not confirmed by the people. Dionys. Halicarn. book ix. p. 595, and book xi. p. 735.

^e In the year 630.

for their conduct to the republic. The knights as persons of the greatest property formed the cavalry of the legions. But when their dignity increased, they refused to serve any longer in that capacity ; and another kind of cavalry was obliged to be raised : thus Marius enlisted all sorts of people into his army, and soon after the republic was lost^f.

Besides, the knights were the farmers of the public revenues ; who, as they were avaricious, multiplied misfortunes, and always encreased the necessities of the state. Instead of giving to such people as those the power of judging, they ought to have been constantly under the inspection of judges. This we must say in commendation of the ancient French laws ; they have stipulated with the officers of the revenues, with as great a diffidence as would be observed between enemies. When the judiciary power at Rome was transferred to the farmers of the revenues, virtue, government, laws, magistracy, and magistrates were no more.

We have a very lively representation of this in some fragments of Diodorus Siculus and Dio. “ *Mutius Scaevola*, says Diodorus^g, wanted to revive the ancient morals, and the laudable custom of sober and

^f Capite censos plerosque. Sallust. de bello Jugurth.

^g Fragment of this author book 36, in the collection of Constantine Porphyrogenitus of virtues and vices.

“ frugal

" frugal living. For his predecessors hav-
 " ing entred into a contract with the far-
 " mers of the revenue, who at that time had
 " the judiciary power at Rome, had filled the
 " province with all manner of crimes. But
 " Scævola made an example of the publicans,
 " and imprisoned those who had sent others
 " to prison."

Dio informs us ^h, that Publius Rutilius, his lieutenant, who was not less obnoxious to the equestrian order, was accused upon his return, of having received some presents, and was condemned to a fine. Upon which he instantly resigned his effects. His innocence appeared in this, that he was found to be worth a much less sum than he was charged with having extorted, and that he shewed a just title to all he was possessed of, but he would not live any longer in the same city with such profligate wretches.

ⁱ. The Italians, says Dodorus again, bought up whole droves of slaves in Sicily, to till their lands and to take care of their cattle; but refused them a necessary subsistence. These wretches were then forced to go and rob on the high ways, armed with lances and clubs, covered with beasts skins, and followed by large mastiff dogs.

^h Fragment of his history, taken from the extract of virtues and vices.

ⁱ Fragment of the xxxivth book in the extract of virtues and vices.

Thus

Thus the whole province was laid waste, and the inhabitants could not call any thing their own, but what was secured within the walls of towns. There was neither proconsul nor prætor, that could or would oppose this disorder, or that presumed to punish these slaves, because they belonged to the knights, who at Rome were possessed of the judiciary power ^k. And yet this was one of the caules of the war of the slaves. I shall add only one word more. A profession that neither has nor can have any other view than lucre, a profession that was always asking without being ever asked, a deaf and inexorable profession that impoverished the rich and increased even the misery of the poor, such a profession, I say, should never have been entrusted with the judiciary power at Rome.

Such was the distribution of the three powers in Rome. But they were far from being thus distributed in the provinces: Liberty was in the center, and tyranny in the extreme parts.

While Rome extended her dominions no further than Italy, the people were governed as confederates; and the laws of each re-

^k Penes quos Romæ tum judicia erant, atque ex equestri ordine tolerent sortito judices eligi in causa prætorum & proconsulium, quibus post administratam provinciam dies dicta erat.

public were preserved. But as soon as she enlarged her conquests, and the senate had no longer an immediate inspection over the provinces, and the magistrates residing at Rome were not capable of governing the empire, they were obliged to send praetors and proconsuls. From that time the harmony of the three powers was lost. Those who were sent with such commission, were intrusted with a power which comprehended that of all the Roman magistracies ; nay even that of the people¹. They were despotic magistrates, extremely proper for the distance of the places to which they were sent. They exercised the three powers ; being, if I may presume to use the expression, the bashaws of the republic.

We have elsewhere observed that in a commonwealth the same magistrate ought to be possessed of the executive power, as well civil as military. To this it is owing that a conquering republic can hardly communicate her government, and rule the conquered state according to the form of her own constitution. In fact, as the magistrate she sends to govern, is invested with the executive, as well civil as military power, he must also have the power of legislation : for who is it that could make laws without him ? He must likewise have the judiciary

¹ They made their edicts upon coming into the provinces.

power :

power: for who could pretend to judge independently of him? It is necessary therefore that the governor she sends should be intrusted with the three powers, as was practised in the Roman provinces.

A monarchy can communicate its government with greater ease, because the officers it sends, have, some the civil executive, and others the military executive power; which does not necessarily imply a despotic authority.

It was a privilege of the utmost consequence to a Roman citizen, to have none but the people for his judges. Were it not for this, he would have been subject in the provinces to the arbitrary power of a proconsul or of a propraetor. The city never felt the tyranny, which was exercised on conquered nations only.

Thus in the Roman world, as at Sparta, those who were free, enjoyed freedom in the greatest extent; while those who were slaves, laboured under the extremity of slavery.

While the citizens paid taxes, they were raised with great justice and equality. The regulation of Servius Tullius was observed, who had distributed the people into six classes according to their difference of property, and fixed the several shares of the public taxes in proportion to that which each person had in the government. Hence they bore with the greatness of the tax on account

count of the proportionable greatness of credit, and consoled themselves for the smallness of their credit with the considerations of the smallness of the tax.

There was also another thing worthy of admiration, which is, that as Servius Tullius's division into classes was in some measure the fundamental principle of the constitution, it thence resulted that an equal levying of the taxes was so connected with that fundamental principle, that one could not be abolished without the other.

But while the city paid the taxes as she pleased, or payed none at all^m, the provinces were plundered by the knights who were the farmers of the public revenues. We have already mentioned their oppressive extortions; and all history is full of them.

*"All Asia, said Mithridatesⁿ, expects
" me as its deliverer ; so great is the hatred
" which the rapaciousness of the proconsuls^o,
" the executions of the officers of the reve-
" nue, and the calumnies of judicial proceed-
" ings^p, have excited against the Romans."*

Hence it was that the strength of the pro-

^m After the conquest of Macedonia taxes ceased at Rome.

ⁿ Speech taken from Trogus Pompeius, and related by Justin, book xxxviii.

^o See the orations against Verres.

^p It is well known what sort of a tribunal was that of Varus, which provoked the Germans to revolt.

vinces made no addition to, but rather weakened the strength of the republic. Hence it was that the provinces looked up on the loss of the liberty of Rome as the epocha of their own freedom.

CHAPTER XI.

Two Causes which destroy'd ROME.

WHILST the sovereignty of Rome was confin'd to Italy, 'twas easy for the commonwealth to subsist: Every soldier was at the same time a citizen; every consul rais'd an army, and other citizens march'd into the field under his successor: As their forces were not very numerous, such persons only were receiv'd among the troops, as had possessions considerable enough to make them interested in the preservation of the city; the senate kept a watchful eye over the conduct of the generals, and did

* The freedmen, and such as were called *capite censi*, (because, being possessed of little or nothing, they were subject to the poll tax only) were not at first enrolled among the land-forces, except in cases of urgent necessity: Servius Tullius had rank'd them in the sixt^h class, and soldiers were levied out of the five first only: But when Marius set out against Jugurtha, he enlisted all without distinction. *Milites scribere*, says Sallust, *non modo majorum neque ex classibus, sed, uti cuiusque libido erat, capite censos plerosque.* — *De Bello Jugurthin.*

not give them an opportunity of machinating any thing to the prejudice of their country.

But after the legions had pass'd the Alps and cross'd the sea, the soldiers, whom the Romans had been oblig'd to leave during several campaigns in the countries they were subduing, lost insensibly that genius and turn of mind which characterized a Roman citizen; and the generals, having armies and kingdoms at their disposal, were sensible of their own strength, and could no longer obey.

The soldiers therefore began to acknowledge no superior but their general; to found their hopes on him only, and to view the city as from a great distance: They were no longer the soldiers of the republic, but of Sylla, of Marius, of Pompey, and of Cæsar. The Romans could no longer tell, whether the person who headed an army in a province was their general or their enemy.

So long as the people of Rome were corrupted by their tribunes only, on whom they could bestow nothing but their power, the senate could easily defend themselves, because they acted consistently and with one regular tenor; whereas the common people were continually shifting from the extremes of fury to the extremes of cowardice; but when they were enabled to invest their favourites with a formidable exterior authority,

rity, the whole wisdom of the senate was baffled, and the commonwealth was undone. The reason why free-states are not so permanent as other forms of government, is, because the misfortunes and successes which happen to them, generally occasion the loss of liberty; whereas the successes and misfortunes of an arbitrary government, contribute equally to the enslaving of the people. A wise republic ought not to run any hazard which may expose it to good or ill fortune; the only happiness the several individuals of it should aspire after, is, to give perpetuity to their state.

If the unbounded extent of the Roman empire proved the ruin of the republic, the vast compass of the city was no less fatal to it.

The Romans had subdued the whole universe by the assistance of the nations of Italy, on whom they had bestowed various privileges at different times; most of those nations did not, at first, set any great value on the freedom of the city of Rome, and some chose rather to preserve their ancient usages; but when this privilege became that of universal sovereignty; when a man, who

¹ The *Æqui* said in their assemblies, Those in whose power it was to chuse, have preferred their own laws to the freedom of the city of Rome, which was a necessary penalty upon such as could not refuse it. Liv. lib. ix.

was not a Roman citizen, was considered as nothing, and, with this title, was all things, the people of Italy resolved either to be Romans, or die : Not being able to obtain this by cabals and intreaties, they had recourse to arms ; and rising in all that part of Italy opposite to the Ionian sea, the rest of the allies were going to follow their example : Rome being now forced to combat against those who were, if I may be allowed the figure, the hands with which they shackled the universe, was upon the brink of ruin : The Romans were going to be confined merely to their walls ; they therefore granted this so much wish'd-for privilege, to allies, who had not yet been wanting in fidelity ; and they indulged it, by insensible degrees, to all other nations.

But now Rome was no longer that city, the inhabitants of which had breathed one and the same spirit, the same love for liberty, the same hatred of tyranny ; a city in which a jealousy of the power of the senate and of the prerogatives of the great (ever accompanied with respect,) was

^s The Asculani, the Marsi, the Vestini, the Marrucini, the Frentani, the Hirpini, the Pompeians, the Venusini, the Iapyges, the Lucani, the Samnites and other nations. Appian, *de Bello civil. lib. i.*

^t The Tuscans, the Umbri, the Latins. This prompted some nations to submit themselves ; and as these were also made citizens, others likewise laid down their arms, so that at last there remained only the Samnites, who were extirpated.

only

only a love of equality. The nations of Italy ^v being made citizens of Rome, every city brought thither its genius, its particular interests, and its dependance on some mighty protector: Rome being now rent and divided, no longer formed one entire body, and men were no longer citizens of it, but in a kind of fictitious way; as there were no longer the same magistrates, the same walls, the same gods, the same temples, the same burying places; Rome was no longer beheld with the same eyes; the citizens were no longer fired with the same love for their country, and the Roman sentiments were obliterated.

Cities and nations were now invited to Rome by the ambitious, to disconcert the suffrages, or influence them in their own favour; the public assemblies were so many conspiracies against the state, and a tumultuous crowd of seditious wretches were dignified with the title of Comitia ^w. The

^v Let the reader figure to himself this monstrous head, formed of all the nations of Italy, which, by the suffrage of every individual, governed the rest of the world.

^w 'Tis an essential point to fix the number of citizens that are to form the public assemblies; otherwise it might be uncertain whether the whole body or only a part of the people have voted. At Sparta, the number was fixt to ten thousand. But at Rome, a city designed by Providence to rise from the weakest beginnings to the highest pitch of grandeur; Rome, a city fated to experience all vicissitudes of fortune; Rome, that had

authority of the people and their laws, nay that people themselves, were no more than so many chimæras, and so universal was the anarchy of those times, that it was not possible to determine whether the people had made a law or not.

Authors enlarge very copiously on the divisions which prov'd the destruction of Rome, but their readers seldom discover those divisions to have been always necessary and inevitable. The grandeur of the republic was the only source of that calamity, and exasperated popular tumults into civil wars. Dissensions were not to be prevented, and those martial spirits, which were so fierce and formidable abroad, could not be habituated to any considerable moderation at home. Those who expect in a free state, to see the people undaunted in war and pusillanimous in peace, are certainly desir-

sometimes all its inhabitants without its walls, and sometimes all Italy, and a great part of the world within them; at Rome, I say, this number was never fixed, which was one of the principal causes of its ruin. L'Esprit des Loix, book ii. ch. 2. The same author observes from Cicero de Leg. l. i. and iii. that another cause of its ruin was, in making, towards the close of the republic, the suffrages secret. The people's in a democracy ought always to be public, who are to be directed by those of higher rank. But when the body of the nobles are to vote in an aristocracy, or in a democracy the senate, as the business is then only to prevent intrigues, the suffrages cannot be too secret. L'Esprit des Loix, ibid.]

ous

ous of impossibilities, and it may be advanced as a general rule, that when ever a perfect calm is visible, in a state that calls itself a republic, the spirit of liberty no longer subsists.

Union, in a body politic, is a very equivocal term : True union is such a harmony as makes all the particular parts, as opposite as they may seem to us, concur to the general welfare of the society, in the same manner as discords in music contribute to the general melody of sound. Union may prevail in a state full of seeming commotions ; or, in other words, there may be an harmony from whence results prosperity, which alone is true peace, and may be considered in the same view, as the various parts of this universe, which are eternally connected by the action of some and the reaction of others.

In a despotic state indeed, which is every government where the power is immoderately exerted, a real division is perpetually kindled. The peasant, the soldier, the merchant, the magistrate, and the grande have no other conjunction than what arises from the ability of the one to oppress the other, without resistance ; and if at any time a union happens to be introduced, citizens are not then united, but dead bodies are laid in the grave contiguous to each other.

It must be acknowledged that the *Roman* laws were too weak to govern the republic: But experience has prov'd it to be an invariable fact, that good laws, which raise the reputation and power of a small republic, become incommodious to it, when once its grandeur is establish'd, because it was their natural effect to make a great people, but not to govern them.

The difference is very considerable between good laws, and those which may be called convenient; between such laws as give a people dominion over others, and such as continue them in the possession of power, when they have once acquir'd it.

There is at this time a republic^x in the world, of which few persons have any knowledge, and which, by plans accomplish'd in silence and secrēsy, is daily enlarging its power. And certain it is, that if it ever rises to that height of grandeur for which it seems preordain'd by its wisdom, it must inevitably change its laws, and the necessary innovations will not be effected by any legislator, but must spring from corruption itself.

Rome was founded for grandeur, and its laws^y had an admirable tendency to bestow

^x The canton of Bern.

^y The Roman government has been thought defective by some, because it was an intermixture of monarchy, aristocracy, and popular authority. But the perfection of a government does not consist in its confor-

it;

it; for which reason, in all the variations of her government, whether monarchy, aristocracy, or popular, she constantly engag'd in enterprizes which required conduct to accomplish them, and always succeeded. The experience of a day did not furnish her with more wisdom than all other nations, but she obtain'd it by a long succession of events. She sustain'd a small, a moderate, and an immense fortune with the same superiority, derived true welfare from the whole train of her prosperities, and refined every instance of calamity into beneficial instructions.

She lost her liberty, because she compleated her work too soon.

CHAPTER XII.

Of the Corruption of the Romans.

IA M of opinion that the sect of Epicurus, which began to be propagated at Rome towards the close of the republic, was very prejudicial to the minds and genius of the people^z. The Greeks had been

mity to any particular plan to be found in the writings of politicians, but in its correspondence to the views every legislator ought to entertain for the grandeur and felicity of a people. Was not the government of Sparta composed of three branches?

^z Cyneas having discoursed of the doctrines of this sect, at the table of Pyrrhus, Fabricius said, He wished

infatuated with its doctrines long before, and consequently, were corrupted much earlier than the Romans. We are assured by Polybius², that oaths, in his time, could not induce any person to place confidence in a Greek, whereas they were considered by a Roman as inviolable obligations upon his conscience.

There is a passage in one of Cicero's letters to ^b Atticus, which manifestly discovers how much the Romans had degenerated in this particular, since the time of Polybius.

Memmius, says he, imparted to the senate the agreement he and his fellow candidate had made with the consuls, by which the latter stipulated to favour them in their solicitations for the consulship the ensuing year; and they obliged themselves to pay four hundred thousand sesterces to the consuls, if they did not furnish them with three augurs, who should declare they themselves

the enemies of Rome would all embrace such kind of principles. *Life of Pyrrhus.*

* If you lend a talent to a Greek, and bind him to the repayment, by ten engagements, with as many securities, and witnesses to the loan, it is impossible to make them regard their word; whereas, among the Romans, whether it be owing to their obligation of accounting for the public and private money, they are always punctual to the oaths they have taken. For which reason, the apprehensions of infernal torments were widely established, and it is altogether irrational that they now oppose them. Polyb. I. vi.

* Lib. iv. Let. 18.

were

were present when the people made the Curiatian law^c, though in reality it had not been enacted ; and two former consuls, who should affirm they had assisted at signing the edict of the senate which regulated the state of the provinces assigned to the present consuls, notwithstanding no such edict was in being. What an admirable set of people do we discover in a single contract !

As religion always furnishes the best security for the rectitude of human actions, so there was this peculiarity among the Romans, that the love they expressed for their country, was blended with some particular sentiment of devotion. That mighty city, founded in the most auspicious period ; the great Romulus, at once their monarch and their God ; the Capitol, esteemed as eternal as the city ; and the city, reputed as eternal as its founder, had anciently struck such impressions on the minds of the Romans, as might well be wished to have been constantly retained.

The grandeur of the state, in general, constituted the greatness of its particular members ; but as affluence consists in con-

^c The Curiatian law disposed of the military power, and the edict of the senate regulated the troops, the money, and officers, that were to be allotted to the governors : Now the consuls, in order to accomplish these particulars, to their own satisfaction, contrived a false law and a false edict of the senate.

duct, and not in riches ; that wealth of the Romans, which had certain limitations, introduced a luxury and profusion which had no bounds. Those who had been at first corrupted by their oppulence, received the same taint in their poverty, by aspiring after acquisitions, that no way comported with private life ; it was difficult to be a good citizen, under the influence of strong desires and the regret of a large fortune that had been lost : People, in this situation, were prepared for any desperate attempt ; and, as Sallust ^d says, there was, at that time, a generation of men, who, as they had no patrimony of their own, could not endure to see others less necessitous than themselves.

But as great soever as the corruption of Rome might then be, all its calamitous effects were not introduc'd among the people, for the efficacy of those institutions, by which they were originally established, was so extraordinary, that they always preserved an heroic fortitude, and devoted themselves, with the greatest application, to war, amidst all the softenings of luxury and pleasure ; which seems to me, to be a circumstance,

^d Ut merito dicatur genitos esse, qui nec ipsi habere possent vos familiares, nec alios pati, Fragment of Sallust cited by Augustin in his book *Of the city of God*, l. ii. c. 18.

in which they were never imitated by any nation in the world.

The Romans were not solicitous to improve commerce, or cultivate the sciences, but ranked them among the attentions proper for slaves^e; we may except, indeed, some particular persons, who had received their freedom, and persisted in their former industry. But their knowledge, in general, was confined to the art of war, which was the only track^f by which they could arrive at promotions in the magistracy, and other stations of honour; for which reason, their military virtues subsisted after all the rest were extinguished.

CHAPTER XIII.

Of SYLLA, POMPEY, and CÆSAR.

Intreat the reader's permission to turn my eyes from the horrors of the wars between Marius and Sylla; Appian has col-

^e Cic, *Offic.* l. i. c. 42. Illiberales & sordidi quæstus mercenariorum omnium, quorum operæ, non quorum arte emuntur: est enim illis ipsa merces auctoramenum servitutis. The merchants, adds that author, raise no profit, unless they falsify their word. Agriculture is the noblest of all arts, and most worthy of a man in a state of freedom.

^f They were obliged to serve ten years, between the age of sixteen years and forty seven. Polyb. l. vi.

lected all the dreadful particulars into his history: Besides the jealousy, ambition, and barbarity of the two chiefs, each particular Roman was infatuated with fury; the new citizens⁵, and the ancient, no longer considered each other as members of the same republic, but gave a loose to a series of hostilities, so peculiar in their nature, as to comprehend all the miseries of a civil and foreign war.

Sylla made several good laws, and reduced the power of the tribunes; to which we may add, that the moderation or caprice which induced him to resign the dictatorship, re-established the senate, for some time; but, in the fury of his success, he suffered himself to be hurried into two actions, which, in their consequences, made it impossible for Rome to preserve her liberty.

V. 477 He distributed⁶ the lands of the citizens among his soldiers, and, by that proceed-

⁵ Marius, in order to obtain a commission for carrying on the war against Mithridates, in prejudice of Sylla's pretensions, had, by the concurrence of Sulpicius the tribune, incorporated the eight new tribes of the people of Italy, into the ancient, which rendered the Italians masters of the suffrages; and the generality of that people espoused the party of Marius, whilst the senate and the ancient citizens engaged in the interest of Sylla.

⁶ At the beginning of the wars, the lands of the vanquished enemies were parcelled among the army,

ing,

ing, corrupted them for ever ; because, from that moment, there was not one of the military profession who did not wait for an opportunity of seizing the effects of his fellow-citizens.

He was likewise the inventor of proscriptions, and set a price on the head of every man who had not embraced his party. From that time, it became impossible for any one to be devoted to the republic ; for whilst two ambitious men were contending for superiority, those who observed a neutrality, or were attached to the cause of liberty, were sure to be proscribed by either of the competitors who should prove victorious ; it therefore became prudent to engage in one of the two parties.

As the republic was fated to destruction, the only material question was, who should have the credit of overwhelming it.

Two men equally ambitious, with this exception, that the one knew how to proceed directly to his purpose better than the other, eclipsed, by their reputation, their exploits, and their virtues, all the rest of the citizens. Pompey made the first appearance in the scene of action, and Cæsar immediately followed him.

POMPEY, to render himself popular, had disannulled the law of Sylla which limited but Sylla made the same division of those which belonged to the citizens.

the

the power of the people, and when he had sacrificed the most salutary laws of his country, to his particular ambition, he obtained all he desired, and the rash indiscretion of the populace was altogether unbounded in his favour.

The Roman laws had wisely parcelled out the public power into several magistracies, which mutually supported as well as restrained and tempered each other ; and as the power of all, who enjoyed those promotions, was confined to a proper extent, every citizen was qualified for a station of that nature ; and the people, seeing numbers of such persons passing away in succession, were not habituated to any particular magistrate among them. But, in the times we are now describing, the plan of government was changed ; the most potent competitors obtained extraordinary commissions from the people, which annihilated the authority of the magistrates, and drew all the great affairs into the hands of one man, or a few.

Was war to be proclaimed against Sertorius ? Pompey was nominated to command the army. Were the Romans to march against Mithridates ? every voice called aloud for Pompey. Did it become necessary to transmit corn to Rome ? the people would have given it over for lost, had not Pompey been entrusted with the importation. Were the pirates to be destroyed ?

who

who so proper for that expedition as Pompey? And when Cæsar himself threatened Rome with an invasion, the senators cried out, in their turn, and placed all their confidence in Pompey.

I am willing to believe (said Marcusⁱ to the people) that this Pompey, who is so much caressed by the nobility, is more inclined to secure your liberty, than he is to countenance their authority over you: But there was a time, when each individual among you was protected by several, and not the whole body of the people by one person; and when it was never known, that a single man either gave or took away things of so much consequence.

As Rome was formed for grandeur, it became necessary to unite the honours and power in the same persons, which in unquiet times would fix the admiration of the people on one particular citizen.

When honours are granted, the givers know exactly what they bestow; but when power is added to the donation, they can never be certain how far it will be extended.

Immoderate preferences given to a citizen, in a republic, are always productive of necessary effects; they either raise envy in the people, or make their affection overflow all bounds.

ⁱ Fragment of Sallust.

When Pompey returned twice to Rome, in a condition to enslave the republic, he had the moderation to disband his armies, before he entered the city ; and then he made his appearance with the air of a common citizen : These instances of a disinterested behaviour, which completed all his glory, did not fail, in their consequences, to make the senate always declare in his favour, when ever he attempted any thing prejudicial to the laws.

The ambition of Pompey was more unactive and gentle than that of Cæsar. This warrior resolved like Sylla, to open himself a passage to sovereign power, by arms, but Pompey grew displeased at such a method of oppression ; he aspired, indeed, to the dictatorship, but was willing to owe it to the suffrages of the people ; he could not resolve to usurp power, but would have been glad to have had it tendered to him as a gift.

As the favour of the people is always in a fluctuating state, there were some seasons, wherein Pompey beheld his reputation in a declining condition ; * and it affected him in the most tender part, to see the very persons he despised, make advances in popularity, and then employ it against him.

This led him into three actions equally fatal ; he corrupted the people with money,

* See Plutarch.

and fixed a price, in the elections, on the suffrage of each citizen.

He employed the vilest of the populace to incommodate the magistrates, in the exercise of their functions, in hopes, that wise people, growing weary of living in a state of anarchy, would be urged by despair to create him dictator.

In a word, he united his interests, with those of Cæsar and Crassus : Cato said, their union and not their enmity destroyed the republic ; and in reality, it was then reduced to such an unhappy state, that it received less injury from civil wars than by a peace, which, as it united the views and interests of the leading men, so it naturally introduced tyranny in the government.

Pompey did not properly lend his reputation to Cæsar, but sacrificed it to his cause, without knowing what he did ; and Cæsar, in return, employed all the power he had received from Pompey to the prejudice of the donor, and even played off his own artifices against him : He raised troubles in the city by his emissaries ; he made himself master of all elections ; and consuls, prætors, and tribunes purchased their promotions, at their own price.

The senate, who easily penetrated into Cæsar's designs, had recourse to Pompey, and intreated him to undertake the defence of the republic, if that name might properly

ly

ly be given to a government which implored protection of one of its citizens.

I am of opinion, that what contributed most to Pompey's destruction, was the shame that affected him, when he grew sensible, that by raising Cæsar as he had done, he had committed a fatal oversight; but he suffered this consideration to prevail as late as possible, and did not prepare for his defence, lest he should be obliged to acknowledge himself in danger. He asserted before the senate that Cæsar durst not engage in a war, and because he had made such a declaration several times, he always persisted in repeating it.

One circumstance seems to have capacitated Cæsar for any undertaking, and that was the unhappy conformity of names; the senate had added to his government of the Cisalpine Gaul, all that part of Gaul which was distinguished by the name of Transalpine.

As the politics of those times did not permit armies to be stationed near Rome, so neither would they suffer Italy to be entirely destitute of troops; for which reason, considerable forces were quartered in Cisalpine Gaul, a country which extends from the Rubicon, a little river in Romania, to the Alps: But in order to secure the city of Rome against those troops, the senate passed that famous edict, which is still to be seen

seen engraven, in the road near Rimini, by which they solemnly devoted to the infernal gods, and branded with sacrilege and parricide any person whatever, who should presume to pass the Rubicon, with an army, a legion, or a single cohort.

To a government of that importance as to keep the city in awe, another was added which proved still more considerable, and that was all the Transalpine Gaul, which comprehended the southern parts of France, where Cæsar had for several years an opportunity of prosecuting war against as many nations as he pleased ; by which means his soldiers advanced in years as well as himself, and were conquered by him, in their turn, as well as the Barbarians. Had Cæsar not been entrusted with the government of Transalpine Gaul, he could not have corrupted his troops, nor rendered his name venerable to them by so many victories ; and had he not enjoyed Cisalpine Gaul, Pompey might have stopped him at the pass of the Alps, whereas he was compelled to retire from Italy, when the war began, which made him lose among his own party that reputation which, in civil wars, is the very soul of power.

The same consternation, which Hannibal diffused through Rome, after the battle of Cannæ, was spread by Cæsar over all that city, when he had passed the Rubicon.

Pompey

Pompey was so confounded, that he became incapable, even in the first moments of the war, of forming any design but such as is usually suggested in the most desperate conjunctures. He could only retire, and trust to flight. Accordingly he left Rome and the public treasure; and as he was in no condition to retard the conqueror, he forsook part of his troops, abandoned all Italy and crossed the sea.

Cæsar's fortune has been greatly celebrated; but this extraordinary man enjoyed so many great qualities, without the intermixture of a defect, tho' he had several vicious inclinations, that he would have been victorious at the head of any army he had commanded, and would have governed in any republic that had given him birth.

When he had defeated Pompey's lieutenants in Spain, he passed into Greece to seek Pompey himself; and this general, who had possessed himself of the sea coasts, and was master of a superior force, was on the point of beholding Cæsar's army destroyed by misery and famine. But as the desire of approbation was his predominant frailty he could not forbear giving attention to some vain speeches¹ of those about him, who were perpetually blaming his conduct, and mortifying him with their jests. This general, says one, would perpetuate his

¹ See Plutarch's life of Pompey.

command, and be a new king of kings, like Agamemnon : I assure you, replies another, we shall not eat any Tusculum figs this year. A few encounters in which he had succeeded, quite intoxicated the heads of this senatorial host ; and Pompey, to avoid censure, gave into an indiscretion which posterity will ever blame ; he resolved to sacrifice all the advantages he had then obtained, and marched at the head of unj disciplined troops to engage an army that had been so frequently victorious.

When the shattered remains of Pharsalia, were withdrawn into Africa, Scipio, who then commanded them, refused to follow Cato's advice for protracting the war. He grew elated with a few instances of success ; he risked all, and immediately lost all he had risked ; and when Brutus and Cassius re-established that party, the same precipitation destroyed the republic a third time ^m.

'Tis observable, that in the long course of these civil wars, the power of Rome was continually extending in foreign parts, under Marius, Sylla, Pompey, Cæsar, Anthony, and Augustus ; and that mighty city, growing daily more formidable, completed

^m This is well cleared up in Appian's history of the civil war; l. iv. The army of Octavius and Antony would have perished by famine, if their enemies had not given them battle.

the destruction of all the kings who presumed to resist her.

No state threatens its neighbours with conquest, so much as that which is involved in the horrors of civil war: In such a season, the nobility, the citizens, the artisans, the peasants, and, in short, the whole body of the people become soldiers; and when peace has united all the contending parties, this state enjoys great advantages over others, whose subjects are generally citizens. Besides, civil wars always produce great men, because, in the universal confusion which then reigns, those who are distinguished by any particular merit, have a favourable opportunity of making themselves conspicuous: Each of these persons ranges himself in a suitable situation, whereas, in times of peace, they are stationed by others, and generally very injudiciously. We shall pass from the Romans, and inquire for instances of this truth, in nations that are more modern; and among these, France was never so formidable abroad, as after the contentions between the houses of Burgundy and Orleans, after the troubles of the league, after the civil wars in the minority of Lewis the thirteenth, and after the national dissensions in the nonage of Lewis the fourteenth. England was never so much respected as in the time of Cromwell, after the wars of the long parliament. The Germans

mans did not gain their superiority over the Turks, till after the civil wars of the empire. The Spaniards, under Philip the fifth, and immediately after the civil wars that were kindled by the succession, invaded Sicily with such a force as astonished all Europe; and we now see the Persians rising from the ashes of a civil war, and humbling the Ottoman power.

In a word, the republic was at last enslaved, and we are not to charge that calamity on the ambition of particular persons, but should rather impute it to the disposition of man in general, whose cravings after power are always most insatiable, when he enjoys the greatest share, and who only desires the whole, because he possesses a large part.

If the sentiments of Cæsar and Pompey had resembled those of Cato, others would have had the same ambitious thoughts as Pompey and Cæsar discovered; and since the republic was fated to fall, it would have been dragged to the precipice by some other hand.

Cæsar pardoned ever mortal; but the moderation people discover when they have usurped all, seems to be no extraordinary accomplishment.

Tho' he has been much commended for being indefatigable, after the battle of Pharsalia, yet Cicero, very justly, accuses him

of remissness. He tells Cassius " they never could have imagined Pompey's party would have revived so considerably in Spain and Africa ; and that if they could have foreseen that Cæsar would have amused himself in his Alexandrian war, they would not have made their peace with him as they did, but would have followed Scipio and Cato into Africa. And thus a weak passion for a woman made him engage in four wars, and by not foreseeing the two last, he hazarded all he had gained at Pharsalia.

Cæsar governed at first under the usual titles of Magistracy, for nothing affects mankind more than names ; and as the Asiatics abhorred those of consul and proconsul, the Europeans detested that of king ; so that those titles constituted at that time, the happiness or despair of all the earth. He made some overtures to have the diadem placed on his head ; but when he grew sensible that the people discontinued their acclamations, he thought fit to reject it. He likewise made other attempts, ^o and it is not to be comprehended, how he could believe that the Romans, in order to suffer him to be a tyrant, should for that reason be in love with tyranny, or could even give credit to what they themselves had done.

ⁿ Familiar letters, l. xv.

^o He abolished the office of tribunes of the people.

One day, when the senate tendered him some particular honours, he neglected to rise from his seat, and, from that moment, the gravest members of that body lost all patience.

Mankind are always most offended at any trespass on the ceremonials and punctilios they expect. If you endeavour to oppress them, it sometimes passes for a proof of the esteem you entertain for them, but a violation of their decorums is always an instance of contempt.

Cæsar, who was a constant enemy to the senate, could not conceal the mean opinion he entertained of that body, who had almost rendered themselves ridiculous ^p, when they were no longer in possession of power: For which reason even his clemency was an insult, and it became evident that he only pardoned because he scorned to punish.

^p Cæsar formed the edicts of the senate himself and subscribed them with the names of the first senators he happened to think on. Cicero, in the ninth book of his Familiar letters, writes to this effect: "I have been sometimes informed that an edict of the senate, passed by my consent, has been transmitted to Syria and Armenia, before I had any knowledge that it was made; and several princes have sent me letters of acknowledgment for my consent, to allow them the title of kings, when, at the same time, I was so far from knowing them to be kings till that moment, that I even had not heard there were any such persons in the world."

We may see, in the letters⁹ of some great men of that time, tho' they passed under Cicero's name, because most of them were written by himself, into what dejection and despair persons of the first rank in the republic, were sunk by this sudden revolution, which divested them of their honours, and even their employments; when the senate having no longer any functions to perform, that reputation they had acquired through all the world, was now to be dispensed from the cabinet of one man. This state of affairs appears in a much better light in those letters, than in any relations of historians, and they are the most masterly representation of the ingenuous turn of mind of a set of people united by a common affliction, and give us a complete portrait of an age wherein a false politeness had not infected all society with insincerity and untruth. In a word, they are not written, like our modern letters, with a view to deceive, but are the faithful intercourse of friends who communicated all they knew.

It was hardly possible for Cæsar, in his situation, to preserve his life: The generality of the conspirators against him, were of his party¹⁰, or had received many great

⁹ See the letters of Cicero and Servius Sulpicius.

¹⁰ Decimus Brutus, Caius Casca, Trebonius, Tullius Cimber, Minutius Basillus were Cæsar's friends. Apian. *De bello civili*, l. ii.

obligations from him, and the reason of their intention to assassinate him, is very natural; they had gained signal advantages by his conquest, but the more their fortune improved, the greater was their share of the common calamity; and to those who have not any thing they can properly call their own, it seems, in some particulars, to be of little consequence under what government they live.

Besides, there was a certain law of nations, or a settled opinion which prevailed in all the republics of Greece and Italy, and ascribed the character of a virtuous man to the person who should assassinate any one who had usurped the sovereign power. Rome had been extremely fond of this notion, ever since the expulsion of her kings; the law was very express; the examples had a general approbation; the republic put a sword into the hand of every citizen, constituted him their magistrate for a few moments, and acknowledged him for their defender.

Brutus^f was bold enough to tell his friends, that, should his own father return from the grave, he would sacrifice him to the public good, with as little remorse as he stabbed Cæsar; and tho' by the continuance of tyranny, this surprizing spirit of liberty

^f See the letter of Brutus in the collection of Cicero's letters.

had gradually lost its vigor, yet the conspiracies, at the beginning of Augustus's reign, were perpetually reviving.

The ancient Romans were animated by a predominant love for their country, which acting by a variation from the common ideas of crimes and virtues, was only attentive to its own dictates, and in the fervors of its operation, entirely disregarded friends and citizens, fathers and benefactors. Virtue seemed to have forgotten her own precepts with a resolution to surpass herself, and when an action seemed too severe to be immediately consider'd with approbation, she soon caused it to be admired as divine.

In a word, did not the guilt of Cæsar, who lived in a free government, consist in placing himself out of the reach of all punishments but an assassination? And when we ask why he was not opposed by open force, or the power of the laws, do we not at the same time demand satisfaction for his crimes?

CHAPTER XIV.

Observations on the State of ROME after the Death of Cæsar.

SO impossible was it for the republic to accomplish its re-establishment, that a conjuncture then happened which was never known

known before ; there was no longer any tyrant, and yet liberty was extinguished ; for the causes which had contributed to its destruction, still subsisted to prevent its revival.

The assassins had only formed the plan of a conspiracy, but had not taken any measures to render it effectual in the event.

When they had struck the blow, they all retired to the capitol ; the senate forbore to assemble, and the next day Lepidus, who was fond of commotions, took possession of the Forum, with a band of soldiers at his devotion.

The veteran troops, who were apprehensive that the immense donations they had received, would be no longer repeated, had marched into Rome : This proceeding compelled the senate to approve all the acts of Cæsar, and then, by a faculty of reconciling extremes, they granted a general amnesty to the conspirators, which produced a false appearance of peace.

Cæsar, a little before his death, whilst he was preparing for his expedition against the Parthians, had appointed magistrates for several years, that he might secure himself a set of men who, in his absence, would maintain the tranquillity of his government ; so that, after his death, the party who had espoused his interest, were in a condition to support themselves for a considerable time.

As the senate had ratified all the acts of Cæsar without any restriction, and as the consuls were intrusted with the execution of them, Antony, who was then one of those magistrates, got possession of Cæsar's book of accounts, gained upon his secretary, and made him insert, in that book, all the articles he thought proper, by which means the dictator reigned more imperiously than when he was living; for what he could never have accomplished, Antony had the dexterity to effect; great sums of money, which Cæsar would never have bestowed, were distributed among the people by Antony, and every man who had any seditious designs against the government, were sure to find a sudden gratuity in Cæsar's books.

It unfortunately happened that Cæsar, to make his expedition effectual, had amassed prodigious sums, and deposited them in the temple of Ops; Antony disposed of these as he thought fit, by the expedient of his book.

The conspirators had, at first, determined to cast the body of Cæsar into the Tyber¹, and might have executed that design without any interruption; for in those seasons of astonishment which succeed unex-

¹ That action would not have been unprecedented; for when Tiberius Gracchus was slain, Lucretius the edile, who was afterwards called Vespillo, threw his body into the Tyber. *Aurel. Viator. de Viris illust.*

pected events, every intention becomes practicable : This however did not take effect, and we shall now relate what happened on that occasion.

The senate thought themselves under a necessity of permitting Cæsar's funeral obsequies to be performed ; and indeed they could not decently forbid them, as they had never declared him a tyrant. Now the Romans, in conformity to a custom established among them, and much boasted of by Polybius, always carried, in their funeral processions, the images which represented the ancestors of the deceased, and made an oration over the body. Antony, who charged himself with this last province, unfolded the bloody robe of Cæsar to the view of all the people, read to them the particulars of his will, in which he had left them extraordinary legacies, and then wrought them into such violent emotions, that they immediately fired the houses of the conspirators.

Cicero, who governed the senate in this whole affair¹, makes no scruple to acknowledge that it would have been much better to have proceeded with vigour, and even to have exposed themselves to destruction, tho' indeed it was not probable that such a fate would have attended them ; but he alleges for his excuse, that as the senate was then assembled, they had no opportunity in

¹ Letters to Atticus, lib. xiv. c. 6.

their favour ; and he adds, that those who are sensible of the importance even of a moment, in affairs wherein the people have so considerable a part, will not be surprized at his conduct in that transaction.

Another accident happened at this time : when the people were celebrating funeral games in honour of Cæsar, a comet with long flaming hair appeared for the space of seven days, which made them believe the soul of Cæsar was received into heaven.

It was very customary for the people of Greece and Asia, to erect temples ^x to the kings, and even the proconsuls who had governed them ; and they were indulged in this practice, because it was the greatest evidence they could possible give of their abject servitude. Nay the Romans themselves might, in their private temples where their Lares were deposited, render divine honours to their ancestors ; but I cannot remember, that from the time of Romulus to Julius Cæsar, any Roman ^y was ever ranked among the gods of the republic.

The govenment of Macedonia was assign-ed to Antony, but he was desirous of chang-

^x See more on this subject, in the letters of Cicero to Atticus, l. v. and the remark of the Abbé de Mongaut.

^y Dion relates that the Triumviri, who all expected the same deification, took all imaginable care to enlarge the honours paid to Cæsar.

ing it for that of Gaul, and the motives which so induced him are very evident: Decimus Brutus, who governed Cisalpine Gaul, having refused to resign that province to Antony, he was resolved to deprive him of it by force. This produced a civil war, in which the senate declared Antony an enemy to his country.

Cicero, to accomplish the destruction of Antony his mortal enemy, was so injudicious as to employ all his interest for the promotion of Octavius, and instead of defacing the idea of one Cæsar in the minds of the people, he placed two before their eyes.

Octavius, in his conduct to Cicero, acted like a man who knew the world; he flattered, he praised, he consulted him, and employed every engaging artifice, which vanity never distrusts.

Great affairs are frequently disconcerted, because those who undertake them seldom confine their expectations to the principal event, but look after some little particular success which sooths the indulgent opinion they entertain of themselves.

I am inclined to think, that, if Cato had reserved himself for the republic, he would have given a very different turn to affairs. Cicero had extraordinary abilities for the second class, but was incapable of the first. His genius was fine, but his soul seldom soared above the vulgar. His character-

istic was virtue ; that of Cato glory ². Cicero always beheld himself in the first rank ; Cato never allowed his merit a place in his remembrance. This man would have preserved the republic for his own sake ; the other, that he might have boasted of the action.

I might carry on the parallel by adding, that when Cato foresaw, Cicero was intimidated ; and when the former hoped, the latter was confident : Cato beheld things through a serene medium ; Cicero viewed them through a glare of little passions.

Antony was defeated at Modena, where the two consuls, Hirtius and Pansa, lost their lives : The senate, who thought themselves superior to their tumultuous affairs, began to think of humbling Octavius, who now ceased his hostilities against Antony, marched his army to Rome, and caused himself to be declared consul.

In this manner did Cicero, who boasted that his robe had crushed the arms of Antony, introduce an enemy into the republic, the more formidable, because his name was much dearer to the people, and his pretensions, to all appearance, better founded ³.

² Esse quam videri bonus malebat ; itaque quo minus gloriam petebat, eo magis illam assequebatur Sallust. bell. Catil.

³ He was Cæsar's heir, and his son by adoption.

Antony,

Antony, after his overthrow, retired into Transalpine Gaul, where he was received by Lepidus. These two men entered into an association with Octavius, and gave up to each other the lives of their friends and their enemies ^b. Lepidus continued at Rome, whilst the other two went in quest of Brutus and Cassius, and found them in those parts where the empire of the world was thrice contended for in battle.

Brutus and Cassius killed themselves with a precipitation not to be vindicated ; and it is impossible to read this period of their lives, without pitying the republic which was so abandoned. Cato closed the tragedy with his own murder ; and these, in some measure, opened it with theirs.

Several reasons may be assigned for this custom of self destruction, which so generally prevailed among the Romans ; the progress of Stoicism which encouraged it ; the establishment of triumphs and slavery, which induced several great men to believe they ought not to survive a defeat ; the advantages accruing to the accused, who put an end to life rather than submit to a tribunal, which condemned their memory to infamy ^c, and their goods to confiscation ; a point of

^b So inveterate was their cruelty, that they commanded every individual among the people to rejoice at the proscriptions on pain of death. Dio.

^c Eorum qui de se statuebant, humabantur corpora, manebant testamenta ; pretium festinandi. Tac. An. vi.

honour, more rational perhaps, than that which now prompts us to stab our friend for a gesture or an expression ; in a word, the convenience ^d of heroism, which gave every one the liberty of finishing his part on the stage of the world, in what scene he pleased.

We might add, the great facility of putting such a principle in execution : The soul all attentive to the action she is preparing to commit, to the motives which determines her resolution, to the dangers she avoids by it, does not properly behold death, because passion makes itself felt, but always blinds the eyes.

Self-love, and a fondness for our preservation, changes itself into so many shapes, and acts by such contrary principles, that it leads us to sacrifice our existence for the very sake of existence ; and such is the estimate we make of ourselves, that we consent to die by a natural and obscure sort of instinct which makes us love ourselves even more than our lives.

^d If Charles I. and James II. had been educated in a religion which would have permitted them to destroy themselves, the one would not have submitted to such a death, nor the other to such a life.

The End of the First Volume.

